

FEDERAL REGISTER



VOLUME 8

NUMBER 173

Washington, Wednesday, September 1, 1943

The President

PROCLAMATION 2592

FIRE PREVENTION WEEK, 1943

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

This Nation's war program is menaced by an alarming increase in preventable fire losses. Since Pearl Harbor the destruction caused by fire in the United States has been comparable to the damage caused by all enemy bombing over England during the first two years of the war. The loss to this Nation is just as real as if the destruction had been wrought by enemy bombers over America, or by saboteurs.

These preventable fires are being measured in thousands of workers killed and disabled; vast destruction of critical raw materials, food, and other vital supplies for our armed forces and civilian population; the ruin of war plants, factories, homes, and machinery—in many cases for the duration of the war. Fires are bringing costly delays in the production and transportation of airplanes, ships, tanks, and guns—delays that mean a postponement of victory and the lives of many of our men on the fighting fronts.

Today it is vitally necessary that we prevent destructive fire. Every State in the Union shares this responsibility. Every community must make an extra and thorough effort to detect and eliminate fire hazards. Only by this united endeavor can America guard her productive power against fire and eliminate a major hazard that threatens seriously to reduce supplies of war materials, food, clothing, and other essentials required by our fighting men overseas and by our civilians at home. The cause was never so clear; the need was never so great.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby designate the week beginning October 3, 1943, as Fire Prevention Week. I earnestly request the people of the country to take unusually active measures during that

week, and throughout the year, to conserve our human and material resources from destruction by fire. I call upon State and local governments, the Chamber of Commerce of the United States, the National Fire Waste Council, upon all business and labor organizations, the pulpit, educators, civic groups, the press, the radio, and the motion-picture industry to initiate programs that will vividly bring home to all our people the dangers of fire and the methods of controlling it. Further, I direct the Office of Civilian Defense, the Department of Agriculture, the War Production Board, the protective services of the War and Navy Departments, and other appropriate Federal agencies to lend their active support and assistance to the attainment of these objectives.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 30th day of August, in the year of our Lord nineteen hundred and [SEAL] forty-three, and of the Independence of the United States of America the one hundred and sixtieth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 43-14168; Filed, August 30, 1943;
2:49 p. m.]

EXECUTIVE ORDER 9373

OPERATION OF, AND DISPOSITION OF ELECTRIC ENERGY AT, THE DENISON DAM, THE GRAND RIVER DAM, AND THE NORFORK DAM, IN THE STATES OF TEXAS, OKLAHOMA, AND ARKANSAS

WHEREAS by Executive Order No. 9366 of July 30, 1943, the Secretary of the Interior was designated as agent for the sale and distribution of electric power and energy generated at the Denison Dam Project; and

¹ 8 F.R. 10699.

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WHEREAS it is essential that there be unified administrative control of the disposition of electric energy generated at

this and the nearby Grand River Dam and Norfork Dam Projects, under Federal control, and that provision be made for the integrated operation of these projects and for the most efficient disposition of power therefrom:

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and statutes of the United States, particularly by section 16 of the Federal Power Act (41 Stat. 1072), Title I of the First War Powers Act, 1941 (55 Stat. 838), and by Titles II and III of the Second War Powers Act, 1942 (56 Stat. 176), and as Commander in Chief of the Army and Navy and as President of the United States, it is hereby ordered as follows:

1. All functions, powers, and duties vested in the Federal Works Administrator by Executive Order No. 8944 of November 19, 1941,⁶ relating to the Grand River Dam Project, and by Executive Order No. 9353 of June 19, 1943,⁷ relating to the Norfork Dam Project, are hereby transferred to the Secretary of the Interior, to be exercised through such person or persons as he may designate.

2. All functions, powers, and duties vested in the Federal Works Administrator with respect to (1) the Grand River Dam Project (PWA Docket Oklahoma 1097-P-DS); (2) the acquisition of an additional five feet of reservoir storage for the Grand River Dam Project (Federal List No. 584, N. I. R. A.); and (3) the administration, construction, and operation of transmission or other facilities as a part of or in connection with Grand River (Pensacola) project operations, are hereby transferred to and vested in the Secretary of the Interior, to be exercised through such person or persons as he may designate.

3. All property, assets (including the bonds of the Grand River Dam Authority held by the Federal Works Administrator), contracts, accounts, and records used primarily by the Federal Works Administrator in the administration of any function, power or duty transferred by this order, and so much of the personnel and unexpended balances of appropriations, allocations and other funds, available to the Federal Works Administrator for use in carrying out such functions, powers, and duties, as the Director of the Bureau of the Budget may determine, are hereby transferred to the Secretary of the Interior for use in the administration of such functions, powers, and duties.

4. The Secretary of the Interior, acting for and on behalf of the United States, through such person or persons as he may designate, is hereby authorized and directed, to such extent and in such manner as in his judgment the public interest may require, (a) to integrate the power facilities of the Grand River (Pensacola), Norfork, and Denison Projects (including the appurtenant transmission, distribution, marketing, and other facilities); (b) to interconnect the projects with other utility systems in the

⁶ 6 F.R. 5947.

⁷ 8 F.R. 8587.

area and to interchange electric energy with and purchase electric energy from such systems; and (c) to sell and dispose of electric energy to war plants and establishments, public bodies and cooperatives, and other persons, in that order of preference, at such rates as may be approved by the Federal Power Commission. Any of the functions or powers vested in the Secretary of the Interior with respect to the Grand River, Denison, or Norfork Projects may be exercised by him in carrying out the integrated operation of the said projects; and in addition he may exercise such powers and functions, including the acquisition of land or flowage rights and the construction or acquisition of transmission lines and other facilities, as may be necessary or appropriate for the completion and full utilization of the Grand River (Pensacola) Project or for the effective disposition of power and energy available to him.

5. All Executive orders or parts thereof in conflict with the provisions of this order are hereby superseded to the extent of such conflict.

6. Part II of Executive Order No. 9366 is hereby revoked.

This order shall become effective September 1, 1943.

FRANKLIN D ROOSEVELT
THE WHITE HOUSE,
August 30, 1943.

[F. R. Doc. 43-14184; Filed, August 30, 1943;
3:21 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter IX—War Food Administration (Marketing Agreements and Orders)

PART 963—HOPS GROWN IN OREGON, CALIFORNIA, WASHINGTON, AND IDAHO AND PRODUCTS PRODUCED FROM SUCH HOPS

Pursuant to the provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 et seq.), hereinafter referred to as the "act", it is hereby found and determined that the provisions of §§ 963.8, 963.9, 963.10, and 963.11 of the order regulating (1) the handling of hops grown in the States of Oregon, California, Washington, and Idaho and (2) the handling of hop products produced from such hops, effective September 1, 1942, pursuant to the provisions of the aforesaid act, obstruct or do not tend to effectuate until June 1, 1944, the declared policy of the said act.

It is, therefore, ordered, That the provisions in §§ 963.8, 963.9, 963.10, and 963.11 of the aforesaid order regulating (1) the handling of hops grown in the States of Oregon, California, Washington, and Idaho and (2) the handling of

hop products produced from such hops be, and the same hereby are suspended, effective at 12:01 a. m., P. w. t., September 1, 1943, and such suspension shall remain effective until June 1, 1944.

It is further ordered, That the suspension of said provisions shall not (1) affect or waive any right, obligation, or liability which has arisen or which, prior to the time that the suspension becomes effective, may arise under the aforesaid provisions of the order or (2) release or extinguish any violation of the said order which has occurred or which, prior to the time that the suspension becomes effective, may occur, or (3) affect or impair any right or remedy of the United States, the War Food Administrator, or any other person with respect to any such violation which has occurred or which, prior to the time that such suspension becomes effective, may occur.

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 52 Stat. 215; 53 Stat. 784; 56 Stat. 85; 7 U.S.C. 1940 ed. 601 et seq.; E.O. 9334, 8 F.R. 5423)

Issued at Washington, D. C., this 30th day of August 1943.

THOMAS J. FLAVIN,
Assistant to the
War Food Administrator.

[F. R. Doc. 43-14223; Filed, August 31, 1943;
11:25 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[FDO 2-2, Amdt. 2]

PART 1401—DAIRY PRODUCTS

PERCENTAGE OF BUTTER REQUIRED TO BE SET ASIDE

Pursuant to the authority vested in me by Food Distribution Order No. 2, dated January 5, 1943, as amended, effective in accordance with the provisions of Executive Order No. 9280, dated December 5, 1942, and Executive Order No. 9322, dated March 26, 1943, as amended by Executive Order No. 9334, dated April 19, 1943, and in order to effectuate the purposes of the aforesaid orders; *It is hereby ordered*, That Director Food Distribution Order No. 2-2, as amended (8 F.R. 9904, 10702), be, and the same hereby is, further amended to read as follows:

§ 1401.15 Percentages of butter to be set aside during the months of August, September, and October, 1943. (a) Each person who is required to set aside butter during the month of August, September, or October, 1943, pursuant to the provisions of Food Distribution Order No. 2, as amended, shall set aside during each of said months in which he is required to set aside butter, a quantity of butter equal to at least the following percentages of all butter produced by him during each such month:

- (1) August, 30 percent;
- (2) September, 20 percent;
- (3) October, 0 percent.

(b) This order shall become effective at 12:01 a. m., e. w. t., September 1, 1943. (E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; FDO 2, 8 F.R. 253, 5696)

Issued this 31st day of August 1943.

ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-14222; Filed, August 31, 1943;
11:25 a. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Board of Governors of the Federal Reserve System

PART 222—CONSUMER CREDIT

"AUTHORIZATION" OF SMALL ITEMS; CYCLE BILLING

On August 28, 1943, the Board of Governors of the Federal Reserve System amended Part 222 in the following respects, effective September 1, 1943:

1. By striking out the figure \$5.00 in paragraph (f) of § 222.5 (7 F.R. 3351, 8413) and inserting in lieu thereof the figure \$10.00 so that § 222.5 (f) will read as follows:

(f) "Authorization" of small items. In case a registrant makes a charge sale of a listed article the cash price of which is \$10.00 or less, he shall not be deemed to have violated § 222.5 (b) if the person authorizing such sale on behalf of the registrant acts in good faith without knowledge that the customer's charge account is in default, provided the registrant, promptly upon discovery that such charge account is in default and in any event within 15 days from the date of sale, makes a request of the customer that he either return the article or else pay for it in full immediately.

2. By adding at the end of the first paragraph of paragraph (m) of § 222.12 (7 F.R. 3351, 5080) entitled "Cycle Billing" the following sentence:

Such provisions shall be applicable also to any registrant who shall have established such a system after having received from the Federal Reserve Bank of his district a notification which is still in force stating that the Federal Reserve Bank is satisfied (1) that the system is intended to effectuate operating economies with respect to manpower or office machinery and (2) that its adoption is not for the purpose of circumventing this regulation.

(Sec. 5 (b), 40 Stat. 415, as amended by sec. 5, 40 Stat. 966, sec. 2, 48 Stat. 1, sec. 1, 54 Stat. 179; sec. 301, Pub. Law 354, 77th Cong.; 12 U.S.C. 95 (a) and Sup., and E.O. 8843, dated August 9, 1941)

[SEAL] BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
S. R. CARPENTER,
Assistant Secretary.

[F. R. Doc. 43-14209; Filed, August 31, 1943;
11:03 a. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter III—Social Security Board,
Federal Security Agency

[Regulations 3, further amended]

PART 403—FEDERAL OLD-AGE AND SURVIVORS INSURANCE

EVIDENCE AS TO RELATIONSHIP OF PARENT AND CHILD—CHILD'S APPLICATION

This regulation amends Regulations No. 3¹ (Part 403, Title 20, Code of Federal Regulations, 1940 Supp.), by amending § 403.702 (e) (1) of Regulations No. 3, as amended, as follows:

1. Subdivision (i) of § 403.702 (e) (1) is amended to read as follows:

(i) If the relationship is by blood, the evidence described in paragraph (b) above should be submitted (in the order of priority therein provided), showing the relationship between the parent and child in question: *Provided*, That a birth record which shows the name of the child but does not give the names of the parents and their relationship to the child may be accepted as supporting evidence of relationship if the surname of the child shown thereon is the same as that of the wage earner at the time of the birth of the child and if none of the information available or furnished to the Board is inconsistent with the existence of the relationship.

2. Subdivision (iii) of § 403.702 (e) (1) is amended to read as follows:

(iii) If the relationship is that of stepparent and stepchild and the child is the blood child of the parent to whom such stepparent is married, the evidence described in paragraph (b) above should be submitted (in the order of priority therein provided), showing the relationship between the child and such blood parent: *Provided*, That a birth record which shows the name of the child but does not give the names of the parents and their relationship to the child may be accepted as supporting evidence of relationship between the child and the child's blood parent to whom the stepparent is married if the surname of the child shown thereon is the same as that of the blood parent at the time of the birth of the child, and if none of the information available or furnished to the Board is inconsistent with the existence of the relationship. If the child is the adopted child of the parent to whom such stepparent is married, a certified copy of the decree or order of adoption should be submitted. Evidence should be submitted as described in paragraph (d) above (in the order of priority therein provided), as to the marriage of the child's blood parent (or adopting parent) and such stepparent.

(Sec. 205 (a), 53 Stat. 1368, sec. 1102, 49 Stat. 647; 42 U.S.C. sec. 405 (a), 1302)

¹ 5 F.R. 1849. For a chronological description of the statutory basis for the old-age and survivors insurance system under title II of the Social Security Act, as amended, and the regulations which have been issued thereunder, see § 403.1 of Regulations No. 3 of the Social Security Board. (§ 403.1, Title 20, Code of Federal Regulations, 1940 Supp.)

In pursuance of sections 205 (a) and 1102 of the Social Security Act, as amended, the foregoing regulation adopted by the Board is hereby prescribed this 25th day of August 1943.

[SEAL] SOCIAL SECURITY BOARD,
A. J. ALTMAYER, Chairman.

Approved August 28, 1943.

PAUL V. McNUTT,
Federal Security Administrator.

[F. R. Doc. 43-14226; Filed, August 31, 1943;
11:19 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

PART 663—BOARDS OF TRANSFER IN TERRITORY OF HAWAII

[Amendment 170, 2d Ed.]

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., App. and Supp. 301 et seq.); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend the regulations by adding a new part thereto to be known as part 663 to read as follows:

PART 663—BOARDS OF TRANSFER IN TERRITORY OF HAWAII

Sec.

- 663.1 Designation.
- 663.2 Duties of certain registrants.
- 663.3 Transfer for classification or induction and reference for final-type physical examination.

AUTHORITY: §§ 663.1 to 663.3, inclusive, issued under 54 Stat. 885; 50 U.S.C. App. and Supp. 301, et seq., E.O. 8545, 9279, 5 F.R. 3779, 7 F.R. 10177, War Manpower Commission Administrative Order 26, 7 F.R. 10512.

§ 663.1 *Designation*. The State Director of the Territory of Hawaii is authorized to designate one or more local boards in the Territory of Hawaii as boards of transfer. Each local board so designated, in addition to its present name, shall also be known as "Board of Transfer No. ____."

§ 663.2 *Duties of certain registrants*. (a) It shall be the duty of every person between the ages of 18 and 45 registered with a local board outside the Territory of Hawaii who is in or hereafter enters the Territory of Hawaii and has remained or does remain therein for a period of 30 days to present himself at the office of such board of transfer as may be designated by the State Director of the Territory of Hawaii and complete the Report to Board of Transfer (Form 65).

(b) It shall be the duty of every person who has completed or who is obligated to complete the Report to Board of Transfer (Form 65) to:

(1) Receive and thereafter retain in his personal possession as long as he remains in the Territory of Hawaii, except as provided by subparagraph (4) of this paragraph, the portion of such Report to Board of Transfer (Form 65) entitled "Certificate of Board of Transfer;" and

(2) Keep his board of transfer advised at all times of the address in the Territory of Hawaii where mail will reach him; and

(3) Exhibit such Certificate of Board of Transfer (Form 65) to the same persons and under the same circumstances that he is required by these regulations to exhibit his Registration Certificate (Form 2); and

(4) Surrender such Certificate of Board of Transfer (Form 65) to the board of transfer which issued it within but not prior to five days before he leaves the Territory of Hawaii with the intention of remaining absent therefrom for a period in excess of 30 days.

(c) Each board of transfer shall maintain a separate file case wherein it shall file in alphabetical order each Report to Board of Transfer (Form 65) received by it.

§ 663.3 *Transfer for classification or induction and reference for final-type physical examination*. (a) Every Request for Transfer for Delivery (Form 154) executed by a registrant who is located in the Territory of Hawaii shall be submitted for approval or disapproval to such board of transfer as may be designated by the State Director of the Territory of Hawaii.

(b) Each registrant transferred to a local board in the Territory of Hawaii for classification shall be classified by such board of transfer as may be designated by the State Director of the Territory of Hawaii.

(c) Each registrant transferred to a local board in the Territory of Hawaii for delivery for induction shall be processed for induction by such board of transfer as may be designated by the State Director of the Territory of Hawaii.

(d) Each registrant referred to a local board in the Territory of Hawaii for final-type physical examination shall be processed for final-type physical examination by such board of transfer as may be designated by the State Director of the Territory of Hawaii.

(e) All files and documents of a registrant who is transferred for classification, delivery for induction, or referred for final-type physical examination for Class IV-E registrants to a local board in the Territory of Hawaii shall be forwarded to the State Director of the Territory of Hawaii for transmission by him to such board of transfer as he may designate.

2. The foregoing amendment to the Selective Service Regulations shall be effective as of the first day of October 1943.

LEWIS B. HERSHY,
Director.

AUGUST 28, 1943.

[F. R. Doc. 43-14205; Filed, August 31, 1943;
9:19 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 238 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; P.R. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-405]

CONNECTICUT REFINING CO.

Connecticut Refining Company, 105 Water Street, West Haven, Connecticut, is a corporation engaged in the marketing of petroleum products. As a result of wilful violations of Limitation Order L-70, Suspension Order S-110 was issued on October 14, 1942 prohibiting Connecticut Refining Company from delivering for a period of three months any motor fuel to 27 specified service stations in excess of 25 per cent of the monthly normal gallonage of each such service station, computed in accordance with the provisions of Limitation Order L-70 without the benefit of any adjustments under paragraph (e) of that order. Suspension Order S-110 was amended on October 19, 1942 to provide that the order should remain in effect during the months of November and December 1942 and January 1943. Having full knowledge of the permissible amounts of motor fuel which it could deliver each month to these service stations, nevertheless the Connecticut Refining Company made excessive deliveries to seven of the service stations in November 1942, to two of the service stations in December 1942 and to five of the service stations in January 1943, the total amount of which was 11,709 gallons. Over-deliveries in the amount of approximately 3,556 gallons were, however, deducted by the Company from the quotas for the succeeding month in several of the cases. These excessive deliveries of the Company under Suspension Order S-110 were made in careless disregard of the terms thereof. Furthermore, the Company's monthly reports to the War Production Board, indicating its deliveries of motor fuel pursuant to Suspension Order S-110, misrepresented its violations in several instances, both by understating its deliveries and by overstating its proper quotas. In view of the foregoing; *It is hereby ordered*, That:

§ 1010.405 Suspension Order No. S-405. (a) Connecticut Refining Company, its successors and assigns, shall not deliver, accept delivery of, sell, transfer or otherwise deal in any motor fuel at the following Connecticut Refining Company service stations:

476 Colony Street, New Haven, Connecticut.
North East Corner of Howe St., New Haven, Connecticut.

Boston Post Road, Greenwich, Connecticut.
123-125 Homestead Avenue, Hartford, Connecticut.

West Thames Street, Norwich, Connecticut.
216 Liberty Street, East Norwich, Connecticut.

Colchester Avenue, Glastonbury, Connecticut.

(b) Nothing contained in this order shall be deemed to relieve Connecticut Refining Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on August 30, 1943, and shall expire on September 13, 1943, at which time the restrictions contained in this order shall have no further effect.

Issued this 23d day of August 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-14169; Filed, August 30, 1943;
11:41 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-413]

CHARLES VAN DYCK

Charles Van Dyck, of Des Moines, Iowa, is the owner of a residence located at 5400 Hickman Road in that city. On or about November 2, 1942 he began construction of additions, alterations and extensions to that residence at an estimated cost in excess of \$200, without authorization of the War Production Board, in violation of Conservation Order L-41. At the time of beginning construction Mr. Van Dyck was, or had opportunity to become, familiar with the provisions of Limitation Order L-41, and this violation must be considered wilful.

The initiation of this construction has hampered and impeded the war effort of the United States. In view of the foregoing: *It is hereby ordered*, That

§ 1010.413 Suspension Order No. S-413. (a) Neither Charles Van Dyck, his successors or assigns, nor any other person, shall order, purchase, accept delivery of, withdraw from inventory, or in any manner secure or use material or construction plant in order to continue or complete construction, as defined in Conservation Order L-41, on the residence located at 5400 Hickman Road, Des Moines, Iowa, except as specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Charles Van Dyck, his successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions of this order.

(c) This order shall take effect on August 30, 1943.

Issued this 23d day of August 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-14170; Filed, August 30, 1943;
3:03 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-414]

HORACE B. SELDOMRIDGE

Horace B. Seldomridge, of Tampa, Florida, in May, 1942 began construction of a residence for his own use at 4708 N. Boulevard, in that city, at an estimated cost in excess of \$500., and without obtaining authorization from the War Production Board. This constituted a violation of Conservation Order L-41, with the provisions of which Mr. Seldomridge was, or should have been, familiar, and this violation was wilful. In view of the foregoing: *It is hereby ordered*, That:

§ 1010.414 Suspension Order No. S-414. (a) Neither Horace B. Seldomridge, his successors or assigns, nor any other person, shall order, purchase, accept delivery of, withdraw from inventory, or in any manner secure or use material or construction plant in order to continue or complete construction of the residence located at 4708 N. Boulevard, Tampa, Florida, except as specifically authorized in writing by the War Production Board. *Provided, however*, That said Horace B. Seldomridge may, upon written authorization from the Regional Director of the Atlanta Regional Office of the War Production Board, construct such temporary protection or covering for the preservation of the partly completed residence, as the Regional Director may permit.

(b) Nothing contained in this order shall be deemed to relieve Horace B. Seldomridge, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on August 30, 1943.

Issued this 23d day of August 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-14171; Filed, August 30, 1943;
3:03 p. m.]

PART 3281—STANDARDIZATION AND SIMPLIFICATION OF PAPER AND PAPERBOARD

[Schedule XI to Limitation Order L-120]

FACIAL TISSUE

§ 3281.27 Schedule XI to Limitation Order L-120—(a) Standard ream count. On or after August 30, 1943, the basis weights for facial tissue shall be calculated by reference to a standard ream of 500—24" x 36" with tolerance of 5% over or under the specified sheet, instead of by reference to the ream of 480—24" x 36" heretofore used.

(b) *Limitations.* Except as provided in paragraph (c) of this schedule no person shall manufacture or package any facial tissue, in flat or folded form, in any basis weight heavier than indicated in (1) under the appendix, or in any size, count, pack or carton contrary to

the provisions of (ii), (iii), (iv) and (v) under the appendix.

(c) *Exceptions.* Notwithstanding the limitations of paragraph (b) of this schedule, any person may prior to October 29, 1943 manufacture and package tissue in flat or folded form, in any basis weight, in any size, count, pack or carton required to utilize inventories of paper cartons or shipping cases already in the possession or manufactured for the account of such person on August 30, 1943.

Issued this 30th day of August 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX

FACIAL TISSUE

(i) *Maximum basis weights (24" x 36"—500 sheets: 11# maximum per ply for 2 ply type, 19# maximum per ply for single ply type.*

(ii) *Size:* If packaged for resale through retail outlets, 90 square inches maximum per sheet. No other restrictions on size.

(iii) *Count:* If packaged for resale through retail outlets, only the following number of sheets per package:

150
200
440
500

Each person who packages facial tissue for resale through retail outlets shall indicate on the package the total number of sheets, the numbers, respectively of single and multiple ply sheets and the size of sheet contained therein, e. g., as follows:

500 Single sheets
250 Two ply sheets
Size 9 x 10

No other restrictions as to count.

(iv) *Pack (for shipping):* For boxes or packages containing 150 or 200 sheets, a minimum of 72 per shipping case. For boxes or packages containing 440 or 500 sheets, a minimum of 36 per shipping case.

(v) *Carton Size:* The inner size of cartons for facial tissue shall not exceed in either length or width $\frac{3}{8}$ " of the length or width, respectively, of the sheet as folded for packaging.

[F. R. Doc. 43-14172; Filed, August 30, 1943;
11:44 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-408]

IRVING MEAD

Irving Mead, doing business under his own name at 3015 West State Street, Rockford, Illinois, is engaged in the business of distributing plumbing equipment and supplies. Between April 23, 1942 and November 20, 1942, Irving Mead made 69 sales and deliveries of new metal plumbing equipment to ultimate consumers which sales did not bear any preference ratings and did not contain the certifications required by Limitation Order L-79. These sales and deliveries were made in such reckless disregard of the terms of Limitation Order L-79 as to constitute wilful violations thereof.

Between April 23, 1942 and November 20, 1942, Irving Mead made approximately 10 sales and deliveries of new metal plumbing equipment, the unit value of each sale being in excess of

\$50.00, without obtaining from the ultimate user the statement required in Preference Rating Order P-84 certifying that the items sold and delivered were replacements of similar used equipment. These sales and deliveries were made in such reckless disregard of the terms of said Preference Rating Order P-84 as to constitute wilful violations thereof.

Between April 23, 1942 and November 20, 1942, Irving Mead made more than 60 sales and deliveries of new metal plumbing equipment indicating on his records that the same was for emergency repair or replacement although actually no emergency existed, no question of repair was under consideration and the new plumbing units sold did not replace units which were worn out and beyond repair. These erroneous entries or records of sales and deliveries were made in such reckless disregard of the provisions of Priorities Regulation No. 1 as to constitute wilful violations thereof.

These violations of the aforesaid orders have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing facts; *It is hereby ordered, That:*

§ 1010.408 Suspension Order No. S-408. (a) Irving Mead, doing business under his own name or otherwise, his successors and assigns, are hereby prohibited from accepting deliveries of, receiving, delivering, selling, transferring or otherwise dealing in any new metal plumbing equipment as defined in Limitation Order L-79 and Preference Rating Order P-84, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Irving Mead, doing business under his own name or otherwise, his successors or assigns, from any restrictions, prohibitions or provisions contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on August 31, 1943, and shall expire on November 30, 1943, at which time the restrictions contained in this order shall be of no further force or effect.

Issued this 25th day of August, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-14211; Filed, August 31, 1943;
11:09 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-411]

A. F. SUPPLY CORP.

A. F. Supply Corporation, a corporation located at 961 Myrtle Avenue, Brooklyn, New York, is engaged in the wholesale and retail sale of plumbing and heating supplies. During October and November, 1942, the Corporation applied the A-10 preference rating assigned to Preference Rating Order P-84 to obtain a substantial amount of plumbing and heating

supplies and falsely certified that these materials were for emergency repair purposes, when it knew that the materials were not for emergency repairs or to replace in its inventory materials so delivered. These acts constituted violations of Preference Rating Order P-84 and Priorities Regulation No. 1. During October through December 1942, A. F. Supply Corporation sold or delivered new metal plumbing and heating equipment to ultimate consumers in violation of Limitation Order L-79. Furthermore, the Corporation failed to keep accurate and complete records of its transactions in plumbing and heating materials in violation of Preference Rating Order P-84 and § 944.15 of Priorities Regulation No. 1. Since A. F. Supply Corporation was fully familiar with the above mentioned Orders and Regulations, its violations thereof must be deemed wilful. In view of the foregoing: *It is hereby ordered, That:*

§ 1010.411 Suspension Order No. S-411. (a) Deliveries of material to A. F. Supply Corporation, its successors or assigns, shall not, directly or indirectly, be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation shall be made, directly or indirectly, to A. F. Supply Corporation, its successors or assigns, of any material the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve A. F. Supply Corporation, its successors and assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall become effective on August 31, 1943 and shall expire on September 30, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 24th day of August 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-14212; Filed, August 31, 1943;
11:09 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-419]

L. B. JENKINS AND W. H. JONES

L. B. Jenkins and W. H. Jones are the owners of the Ellis Building in Kinston, North Carolina. On or about December 3, 1942 they began construction, consisting of alterations to and remodeling of that building, at an estimated cost in excess of \$1000., without obtaining au-

thorization from the War Production Board. Their intention was to convert the building for use as an automobile sales agency and garage by the Jenkins-Jones Motor Corporation, and also to provide space for the storage of tobacco. This construction was in violation of Conservation Order L-41. Both Mr. Jenkins and Mr. Jones knew generally of War Production Board regulations and their failure to take the necessary steps to insure compliance with Conservation Order L-41 must be deemed wilful. In view of the foregoing: *It is hereby ordered, That:*

§ 1010.419 *Suspension Order No. S-419.* (a) Neither L. B. Jenkins and W. H. Jones, their successors or assigns, nor any other person or corporation, shall order, purchase, accept delivery of, withdraw from inventory, or in any manner secure or use material or construction plant in order to continue or complete construction, as defined in Conservation Order L-41, on the Ellis Building, in Kinston, North Carolina, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve L. B. Jenkins and W. H. Jones, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on August 31, 1943.

Issued this 26th day of August 1943.
WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-14213; Filed, August 31, 1943;
11:09 a. m.]

PART 3064—COTTON TEXTILES FOR AGRICULTURAL AND FOOD PROCESSING USES

[Revocation of Schedules I and II to General Preference Order M-218]

Sections 3064.2 and 3064.3 *Schedules I and II of General Preference Order M-218* are hereby revoked.¹

This action shall not be construed to affect in any way any liability or penalty accrued or incurred under said Schedules I and II of General Preference Order M-218.

Issued this 31st day of August 1943.
WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-14214; Filed, August 31, 1943;
11:10 a. m.]

¹ The subject matter of these schedules is now contained in Conservation Order M-317 (Cotton Textile Distribution).

PART 3201—MINING¹

[Limitation Order L-208 as Amended
August 31, 1943]

GOLD MINING

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of critical materials for defense, for private account and for export which are used in the maintenance and operation of gold mines; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3201.6¹ Limitation Order L-208—

(a) *Definitions.* For the purposes of this order

(1) "Nonessential mine" means any mining enterprise in which gold is produced, whether lode or placer, located in the United States, its territories or possessions, unless the operator of such mining enterprise is the holder of a serial number for such enterprise which has been issued under Preference Rating Order P-56.

(2) With respect to any nonessential mine, "effective date" means October 8, 1942, or the date of cancellation by the War Production Board of the serial number for such mining enterprise, whichever is the later.

(3) "Operation" means any and all work in or about a mining enterprise; and includes not only mining but also treatment of ore or placer material from such enterprise. It also includes all prospecting, exploration work, and development work.

(b) *Restrictions upon production.* (1) On and after the effective date, each operator of a nonessential mine shall immediately take all such steps as may be necessary to close down, and shall close down, in the shortest possible time, the operations of such mine.

(2) In no event on or after seven days from the effective date shall any operator of a nonessential mine acquire, consume, or use any material, facility, or equipment to break any new ore or to proceed with any development work or any new operations in or about such mine.

(3) In no event on or after sixty days from the effective date shall any operator of a nonessential mine acquire, consume, or use any material, facility, or equipment to remove any ore or waste from such mine, either above or below ground, or to conduct any other operations in or about such mine, except to the minimum amount necessary to maintain its buildings, machinery, and equipment in repair and its access and development workings safe and accessible.

(4) The provisions of this order shall not apply to any lode mine which produced 1,200 tons or less of commercial ore in the year 1941, provided the rate of production of such mine, after the effective date, shall not exceed 100 tons per month, nor to any placer mine which treated less than 1000 cubic yards of material in the year 1941, provided that the rate of treatment of such placer mine, after the effective date, shall not exceed 100 cubic yards per month.

(5) Nothing contained in this order shall limit or prohibit the use or operation of the mill, machine shop, or other facilities of a nonessential mine in the manufacture of articles to be delivered pursuant to orders bearing a preference rating of A-1-k or higher, or in milling ores for the holder of a serial number under Preference Rating Order P-56.

(6) Nothing contained in this order shall prohibit any owner of a mining claim from performing not more than the minimum assessment work required by the provisions of section 2324 of the Revised Statutes of the United States and by Public No. 542, 77th Congress, 2d Session.

(c) *Restrictions on application of preference ratings.* No person shall apply any preference rating, whether heretofore or hereafter assigned, to acquire any material or equipment for consumption or use in the operation, maintenance, or repair of a nonessential mine, except with the express permission of the War Production Board issued after application made to the Mining Division, War Production Board.

(d) *Assignment of preference ratings.* The War Production Board, upon receiving an application in accordance with paragraph (c) above, may assign such preference ratings as may be required to obtain the minimum amount of material necessary to maintain such nonessential mine on the basis set forth in paragraph (b) (3) above.

(e) *Restrictions on disposition of machinery and equipment.* (1) On or before October 30, 1943, or within 60 days after the effective date, whichever is later, each operator of a nonessential mine shall file with the Mining Division, War Production Board, Washington, 25, D. C., Reference: L-208, an itemized list of all machinery and equipment of the types listed in Schedule A, which were in use in, or held in connection with, such nonessential mine on such date. Such schedule shall be signed by such operator or an authorized official, giving complete specifications and conditions for each item. This provision, with respect to reporting, applies only to mines for which an itemized list of machinery and equipment has not been filed with the War Production Board as required by this order prior to August 31, 1943. Any operator who so desires may report items which he wishes to sell or rent on WPB Form 2574 in triplicate and transmit to the nearest regional War Production Board office.

¹ Formerly Part 3093, § 3093-1.

(2) On and after August 31, 1943, no person who owns on the effective date machinery or equipment of the types listed in Schedule A, which was in use in, or held in connection with, a nonessential mine on the effective date, shall sell, transfer, or otherwise dispose of any thereof, and no person shall accept delivery thereof, except:

(i) With specific written permission of the War Production Board, issued after request to the Mining Division; or

(ii) To a producer holding a serial number under Orders P-56, P-58, or P-73.

(3) On and after August 31, 1943, any operator who sells, transfers, or otherwise disposes of any item listed in Schedule A to a producer holding a serial number under Orders P-56, P-58, or P-73 shall immediately report such transaction to the Mining Division of the War Production Board, Washington 25, D. C., Reference: L-208, giving the following information:

- a. Name of company and mine from which transferred.
- b. Identity of items transferred.
- c. Name of producer acquiring equipment and serial number of mine for which equipment is acquired.

(f) *Records and reports.* All persons affected by this order shall keep and preserve, for not less than two years, accurate and complete records concerning inventory, acquisition, consumption, and use of materials, and production of ore, and shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time prescribe.

(g) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Communications.* All reports to be filed, appeals, and other communications concerning this order should be addressed to: War Production Board, Mining Division, Washington 25, D. C., Ref.: L-208.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by a fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board, by letter, in triplicate, setting forth the pertinent facts and the reason he considers he is entitled to relief. The War Pro-

duction Board may thereupon take such action as it deems appropriate.

(k) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

NOTE: The reporting requirements of paragraph (e) have been approved by the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

Issued this 31st day of August 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

- 1. Aerial tramway equipment
- 2. Agitators
- 3. Assay and testing laboratory equipment
- 4. Automatic feeders, ore, reagent
- 5. Blowers (flotation)
- 6. Blowers (ventilation)
- 7. Cable, electrical
- 8. Cable, steel
- 9. Cages and skips
- 10. Chain blocks
- 11. Churn drills and accessories
- 12. Classifiers
- 13. Compressors, vacuum pumps*
- 14. Concentrating tables
- 15. Conveyors, belt, chain, or gravity
- 16. Crushers (stationary types)
- 17. Draglines¹
- 18. Dredges (mining)
- 19. Drill presses
- 20. Drill steel
- 21. Drills (diamond)
- 22. Drills (rock, except portable mounted)
- 23. Dump, rotary track, other
- 24. Dust control equipment
- 25. Electrical equipment, other than electric motors
- 26. Electric motors
- 27. Explosive equipment
- 28. Filters
- 29. Filter presses
- 30. Flotation machines
- 31. Furnaces, oil fuel, electric
- 32. Generators and motor generator sets
- 33. Granulators, ball mills, etc.
- 34. Grinders (air and electric)
- 35. Hack saws, power
- 36. Head frames
- 37. Hoists (mine)
- 38. Hydraulic monitors

- 39. Jacks (roof)
- 40. Jigs
- 41. Lamps, ore exploration
- 42. Lathes
- 43. Locomotives (mine)
- 44. Mucking machines
- 45. Ore bins (steel)
- 46. Power tools (portable)
- 47. Power units (diesel, gasoline accessories)
- 48. Presses, hydraulic
- 49. Pumps (dewatering and supply, larger than 90,000 gallons per hour)
- 50. Pumps (other, deep well, diaphragm, centrifugal, plunger, sand, and vacuum)
- 51. Rail and track accessories
- 52. Receivers (air)
- 53. Rubber hose (air, water)
- 54. Safety and defense equipment
- 55. Saws (power (swing) table)
- 56. Scrapers (slusher type)
- 57. Scrapers (carrying or hauling, both drawn and self propelled)¹
- 58. Screens
- 59. Sheaves and sheave blocks
- 60. Sharpeners (steel)
- 61. Shovels, power¹
- 62. Slusher hoists
- 63. Storage batteries
- 64. Tanks (steel and wood)
- 65. Thickeners
- 66. Tractors and attachments¹
- 67. Trailers
- 68. Transformers
- 69. Trucks
- 70. Washing plant (gold placer)
- 71. Welding machines (electric, gas)
- 72. Weighing equipment (automatic, other)
- 73. Winches (tractor mounted)¹
- 74. Winches, other

[F. R. Doc. 43-14215; Filed, August 31, 1943; 11:09 a. m.]

PART 3265—ETHYL ACETATE AND ISOPROPYL ACETATE

[Allocation Order M-327]

Section 3265.1 *General Preference Order M-327* is hereby amended to read:

§ 3265.1 *Allocation Order M-327, as amended August 31, 1943—(a) Definitions.*

(1) "Ethyl acetate" means the chemical known by that name or the name acetic ether, from whatever source derived.

(2) "Isopropyl acetate" means the chemical known by that name, from whatever source derived.

(3) "Producer" means any person engaged in the production or processing of ethyl acetate or isopropyl acetate, and includes any person who imports ethyl acetate or isopropyl acetate or has ethyl acetate or isopropyl acetate produced for him pursuant to toll agreement.

(4) "Distributor" means any person who purchases ethyl acetate or isopropyl acetate solely for the purpose of resale without further processing.

(5) "Supplier" means a producer or distributor.

(b) *Production directions to producers.* War Production Board may from time to time issue directions to producers respecting the quantity of ethyl acetate

¹ Transfer or any change in status of these types of equipment which come under the provisions of Order L-196, Used Construction Equipment, should also be reported on WPB Form 1333 to the Used Construction Equipment Regional Specialist in the War Production Board Regional Office in the region in which such equipment is located, and marked L-208 case.

* Release for transfer of compressors, covered by Limitation Order L-100, must be secured in accordance with the provisions of that order, and should be identified as an L-208 case.

or isopropyl acetate to be produced and the division of production as between the two.

(c) *Restrictions on deliveries and use.* (1) No person shall deliver, accept delivery of, or use ethyl acetate or isopropyl acetate except as specifically authorized or directed in writing by War Production Board.

(2) Authorization or directions as to deliveries or use in each calendar month will generally be issued by War Production Board before the beginning of the month, but may be issued at any time. Directions to suppliers will normally be issued on Form WPB 2946 (formerly PD-601) and directions to consumers on Form WPB 2945 (formerly PD-600), as explained in paragraphs (f) and (e) respectively.

(3) Each person specifically authorized to use or accept delivery of ethyl acetate or isopropyl acetate shall use the material for the purpose authorized, and only for that purpose, except as otherwise specifically directed in writing by War Production Board. Ethyl acetate and isopropyl acetate allocated for inventory shall not be used except as specifically authorized in writing by War Production Board.

(4) Any ethyl acetate or isopropyl acetate which is not used to fill orders to which it was allocated shall be transferred to inventory as though originally allocated therefor.

(d) *Exceptions for small quantities.* (1) Specific authorization in writing of War Production Board is not required by:

(i) Any person to accept delivery in any calendar month from all sources of not more than 270 gallons, provided that a person shall not accept delivery of more than 54 gallons from all sources in any calendar month unless prior to acceptance he has furnished to each supplier from whom delivery is accepted a certificate in substantially the following form:

The undersigned purchaser hereby certifies that the ethyl acetate and isopropyl acetate [strike out inapplicable words if only one chemical ordered] hereby ordered for delivery in _____, 194____, does not, taken together with all other ethyl acetate and isopropyl acetate delivered or ordered for delivery in such month, exceed 270 gallons.

Name of purchaser

Date

By _____
Duly authorized official Title

(ii) Any supplier to deliver to any person the quantity which he is entitled to accept in any one calendar month (in no case more than 270 gallons), provided that a supplier shall not deliver more than 54 gallons to any person in any calendar month unless that person has filed with him a certificate in substantially the form stated in the preceding paragraph. A supplier may not deliver ethyl acetate or isopropyl acetate when he knows or has reason to believe the certificate furnished him is false, but in the absence of such knowledge or reason to believe he may rely upon it.

No. 173—2

(iii) Any person to use not more than 270 gallons in any calendar month.

(2) No supplier shall make any delivery pursuant to paragraph (d) (1) if such delivery will prevent the completion of any delivery which he has been specifically authorized or directed to make, nor shall a producer deliver in any calendar month pursuant to paragraph (d) (1) more than 5% of the total quantity of ethyl acetate and isopropyl acetate produced in such month.

(3) The quantities referred to in paragraphs (d) (1) and (d) (2) are of ethyl acetate and isopropyl acetate considered together, without regard to which of the two, or what combination of the two, is involved.

(e) *Applications for leave to accept delivery or to use.* Each person requiring specific authorization to accept delivery of, or to use, ethyl acetate or isopropyl acetate during any calendar month (including a person purchasing for resale) shall file application on or before the 15th day of the preceding month. The application shall be made on Form WPB 2945 (formerly PD-600) in the manner set forth in the general instructions appearing on that form, subject to the special instructions given in Appendix A. If there is any inconsistency between the general and special instructions, the special instructions must be followed.

(f) *Applications for suppliers for authorization to deliver.* Each supplier requiring specific authorization to deliver ethyl acetate or isopropyl acetate during any calendar month, shall file application on or before the 20th day of the preceding month. The application will be made on Form WPB 2946 (formerly PD-601) in the manner set forth in the general instructions appearing on that form, subject to the special instructions given in Appendix B. If there is any inconsistency between the general and special instructions, the special instructions must be followed.

(g) *Additional provisions as to forms—(1) Forms.* Forms WPB 2945 and WPB 2946, provided for in paragraphs (e) and (f) have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

(2) War Production Board may issue to suppliers and to any other persons other and different instructions than are contained in Appendices A and B, with respect to preparation or filing of Forms WPB 2945 and WPB 2946.

(h) *Miscellaneous provisions—(1) Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing

or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Ref: M-327.

Issued this 31st day of August 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A—SPECIAL INSTRUCTIONS FOR
CUSTOMER'S FORM WPB 2945 (FORMERLY
PD-600)

(1) *Obtaining forms.* Copies of Form WPB 2945 may be obtained at local field offices of War Production Board.

(2) *Number of copies.* Prepare an original and four copies. File the original and two copies with War Production Board, Chemicals Division, Washington 25, D. C. Ref: M-327, file one copy with the supplier with whom your order is placed, and retain the final copy for your files.

(3) *Separate sets.* If you seek to receive or use both ethyl acetate and isopropyl acetate, file a separate set of Form WPB 2945 for each. Also if you have placed (or propose to place) orders for ethyl acetate or isopropyl acetate with two or more suppliers for delivery in the applicable month, file a separate set of such Form WPB 2945 with respect to each supplier.

(4) *Information at top of form.* In the heading, under "Name of chemical", specify either "Ethyl acetate" or "Isopropyl Acetate"; under "WPB Order No.", specify "M-327"; under "Indicate unit of measure", specify "Pounds".

(5) *Supplier.* In space under "Supplier with whom this order is placed", state the name of the supplier with whom you have placed (or intend to place) an order for the ethyl acetate or isopropyl acetate covered. If application is for authority to use ethyl acetate or isopropyl acetate from own inventory, leave these spaces blank.

(6) *No grade.* Leave blank Columns 1, 11 and 19.

(7) *Primary product.* In Columns 3 and 20, state your primary product (in the manufacture or preparation of which ethyl acetate or isopropyl acetate is used) in terms of the following:

Chemicals (specify).

Denaturant.

Foods and flavorings.

Lacquers.

Other protective coatings.

Other products (specify).

Resale (as ethyl acetate or isopropyl acetate).

Inventory (as ethyl acetate or isopropyl acetate).

(8) *End use.* In Column 4 state ultimate use of the product to be manufactured. For example, if the "primary product" called for in Column 3 is "lacquers" the "ultimate use" of the product might be "aircraft finishes". Applicant will also specify in each case whether his customer is Army, Navy, other government agency, Lend-Lease or commercial customer, and will give government specification and contract numbers, Lend-Lease requisition and contract numbers, and export license numbers. Where the Form WPB 2945 is an application for ethyl acetate or isopropyl acetate for resale or for inventory (as ethyl or isopropyl acetate) leave Column 4 blank.

(9) *Past use.* In Column 10 (Remarks), indicate quantity of ethyl acetate or isopropyl acetate consumed in past month in each use for which new material is requested. For example, if 10,000 lbs. of ethyl acetate

is requested for use in the manufacture of lacquers for aircraft finishes, state in Column 19, the quantity of ethyl acetate consumed in the last month for such use.

(10) *Tables II, III, IV.* Fill out completely Tables II, III, and IV.

(11) *Table V.* In Column 23, list each primary product produced in the last month. In Column 24, list the quantity of ethyl acetate or isopropyl acetate consumed in last month in the manufacture of each such primary product. In Column 25, list the quantity of ethyl acetate or isopropyl acetate allocated to you for the manufacture of each such primary product in last month.

APPENDIX B—SPECIAL INSTRUCTIONS FOR SUPPLIER'S FORM WPB 2946 (FORMERLY PD-601)

(1) *Obtaining forms.* Copies of Form WPB 2946 may be obtained at local field offices of War Production Board.

(2) *Number of copies.* Prepare an original and three copies. File original and two copies with War Production Board, Chemicals Division, Washington 25, D. C., Ref: M-327, retaining the third copy for your files.

(3) *Separate sets.* Separate sets of Form WPB 2946 shall be filed for ethyl acetate and isopropyl acetate.

(4) *Information at top of form.* In the heading, under "Name of chemical," specify either "Ethyl acetate" or "Isopropyl acetate," as the case may be; under "WPB Order No.," specify "M-327"; under "Indicate unit of measure," specify "Pounds"; in heading "This schedule is for deliveries to be made during the month of _____, 194____, insert month and year."

(5) *Table I.* Fill in as indicated, listing customers alphabetically. It is not necessary, however, to list customers to whom delivery will be made pursuant to paragraph (d) (1), subparagraphs (iii) and (iv). Instead, the supplier will list in Column 1 "Total deliveries pursuant to (d) (1) (iii) (estimated)," "Total deliveries pursuant to (d) (1) (iv) (estimated)," and in each case will enter in Column 4 as a lump sum, the total quantity proposed to be delivered.

(6) *Use by producers.* Each producer who has filed application on Form WPB 2945 specifying himself as his supplier, shall list his own name as customer on Form WPB 2946.

(7) *Table II.* Producers will fill in each column as indicated, except Column 8 which may be left blank. Distributors will fill in Columns 10, 12, and 13.

[F. R. Doc. 43-14216; Filed, August 31, 1943; 11:09 a. m.]

PART 3270—CONTAINERS¹

[Limitation Order L-261 as Amended Aug. 31, 1943]

GROCERS AND VARIETY BAGS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of raw materials and facilities entering into the production of paper bags, and the following order is deemed necessary and appropriate in the public interest and to promote national defense:

§ 3270.27 Limitation Order L-261.

Definitions

(a) *Definitions.* For the purposes of this order:

(1) "Grocers and variety bags" means unused, pasted, open-mouth single-wall paper bags of the types commonly, but not exclusively, used in retail stores and

in service establishments (such as dry cleaners and laundries) as packagings or protective coverings for over-the-counter or local delivery. This is limited to (a) bags of the types described in Schedule A of this order, (b) made-to-order variations of those types varying in size, weight, or grade of paper, and (c) stock bags specially authorized under paragraph (c) below.

(2) "Stock grocers and variety bags" means grocers and variety bags manufactured by the bag maker for his stock.

(3) "Manufacture for stock" means manufacture of bags for the bag maker's general line as distinguished from manufacture of any particular bag which (i) is not in the bag maker's general line, (ii) is made to order, on a special run, for a particular customer, and (iii) is not intended to be sold, out of that run, to any other customer.

(4) "Bag maker" means any person engaged in the business of manufacturing stock grocers and variety bags for sale or for his use as a bag user.

(5) "Bag dealer" means any dealer, jobber, or other person who buys stock grocers and variety bags for resale.

(6) "Bag user" means any person who uses stock grocers and variety bags for packaging goods sold or serviced by him.

Specification Restrictions

(b) *Restrictions on manufacture for stock.* On and after March 1, 1943, no bag maker shall manufacture, for stock, any grocers and variety bag which does not conform with the specifications set out in Schedule A attached to this order.

(c) *Special authorization for additional stock bags.* Any bag maker may apply to the War Production Board for special authorization to manufacture, for stock, any other grocers and variety bag which (1) in relation to its projected end usage, will represent a paper saving over any comparable bag permitted under paragraph (b) above and (2) is in sufficient demand to warrant its manufacture for stock by the bag maker. Such application shall be made by the bag maker by letter setting forth the relevant facts, including:

(1) The bag specifications (class, usage, shape, size, paper grade);

(2) His production, if any, thereof during the preceding 12-month period or season (if a seasonal bag, indicate length of season in months);

(3) His estimated average production thereof during the next 12-month period or season;

(4) An explanation of the expected paper saving.

If authorization for such bag is granted by the War Production Board, the bag maker may then manufacture it, for stock in accordance with the terms of the authorization.

Exceptions From Specification Restrictions

(d) *Exception for bags for export.* The restrictions of paragraph (b) above shall not apply to the manufacture, for stock, of any grocers and variety bags

to be exported by the bag maker to any point outside the 48 States, the District of Columbia, and Canada, except that the paper used in manufacturing any such bags shall be no heavier than the paper permitted, under Schedule A, for the most nearly comparable grocers and variety bags.

Quota and Related Restrictions

(e) *Quota restriction.* During any quota period (commencing September 1, 1943), no bag maker shall, in making grocers and variety bags for stock or order, use more than his tonnage-quota of paper.

(f) *Quota computation.* A bag maker's "base tonnage" is the total tonnage of paper used by him during the 6-month base period October 1, 1941–March 31, 1942, to make grocers and variety bags for stock or order. For the 1-month period September 1–30, 1943, his tonnage-quota shall be 12% of his base tonnage. For each 3-month period thereafter (October–December, January–March, etc.), it shall be 35% of his base tonnage.

(g) *Special quota adjustment.* If any bag maker's plant was completely out of operation for a substantial part of the base period (October 1, 1941–March 31, 1942), he may make written application to the War Production Board for an adjusted base tonnage. After making application, and while awaiting notice from the War Production Board, he may use, during September 1943, a temporary quota figured as 7% of the total tonnage of paper used by him during the 3-month period July 1–September 30, 1942 to make grocers and variety bags for stock or order.

(h) *Option for multiple-unit organizations.* Any bag maker who manufactures grocers and variety bags at more than one plant may compute either individual quotas for each plant separately or a single quota for all the plants.

(i) *Assignments of quotas.* A bag maker may assign all or any portion of his quota for any quota periods to any other bag maker under the following circumstances:

(1) *Sale as going concern.* Assignment may be made when a bag maker sells his entire manufacturing business and plant as a going concern and the purchaser continues to make grocers and variety bags at the same plant. The seller shall report the transaction to the War Production Board, in writing, no less than 15 days before completing the transaction. After the assignment is made, the quota may not be transferred to another plant owned by the purchaser unless the transfer is specifically authorized in advance by the War Production Board.

¹Formerly Part 3190, § 3190.1.

(2) Assignment for manufacture only.

Assignment may be made under an agreement by which the assignee will use the quota to make grocers and variety bags for sale by the assignor. The assignor shall promptly report the arrangement to the War Production Board, in writing, no less than 15 days before completing the transaction.

(3) Other cases. Assignments may be made in any other case authorized by the War Production Board. Application for authorization shall be made to the War Production Board by joint letter from both parties explaining the proposed details.

(j) Quota carry-over and borrowing. During the first month of any quota period, any bag maker may use any part of his quota left over from the last quota period. During the last month of any quota period, any bag user may borrow up to $\frac{1}{3}$ of the quota he expects to have in the next quota period.

NOTE: Paragraphs (k) through (r) formerly designated (e) through (i).

Inventory Restrictions

(k) Inventory restrictions—(1) Bag dealers and bag users. On and after March 1, 1943, no bag dealer and no bag user shall at any time accept any delivery of stock grocers and variety bags which will increase his total inventory of such bags to more than $1\frac{1}{2}$ carloads (exclusive of bags then in transit to him), except in the following cases:

(i) Where, at such time, the total amount of his reasonably anticipated requirements for the next 45 days is more than $1\frac{1}{2}$ carloads, he may increase his total inventory to the amount of such requirements (with a $\frac{1}{2}$ car leeway, where necessary to round out a full car).

(ii) Where, at such time, his inventory of any particular item or items is less than the amount of his reasonably anticipated requirements for the next 45 days, he may increase his inventory of that item or items to the amount of such requirements (with a $\frac{1}{2}$ car leeway, where necessary to round out a full car).

(2) Bag makers. Bag makers' paper inventories shall be subject to the restrictions of Order M-241 ("Pulp and Paper").

(3) Inventories of multiple-unit organizations. Any bag user who uses stock grocers and variety bags at more than one location may, at his option, apply the inventory restrictions of this paragraph (k) either to the inventory of each such location separately or to the collective inventory of all such places. The same type of option may be exercised by any bag dealer who deals in such bags at more than one location.

(l) Restrictions on delivery. No person shall deliver paper to any bag maker or deliver stock grocers and variety bags to any person with knowledge or reason

to believe that acceptance of such delivery is not permitted under this order.

Miscellaneous Provisions

(m) Appeals. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds for the appeal.

(n) Reports. Any person affected by this order shall file such reports and questionnaires as the War Production Board may request from time to time.

(o) Records, audits, inspection. Every person to whom this order applies shall keep and preserve for not less than two years accurate and complete records of the operations or transactions to which this order applies; *Provided, however*, That any bag user who customarily receives 1 carload of stock grocers and variety bags, or less, per month is not required to establish any special records of bag inventories as long as his monthly acceptances of such bags remain below that amount. All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(p) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(q) Communications to War Production Board. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington, D. C., Ref.: L-261.

(r) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

Issued this 31st day of August 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A TO ORDER L-261**SPECIFICATIONS FOR STOCK GROCERS AND VARIETY BAGS****General**

(1) General. This schedule contains the type, size, and paper specifications for manufacturing stock grocers and variety bags. Subject to the tolerance specified below, the type and size of specifications are mandatory. The paper grade specifications shall be observed insofar as practicable in the light of paper procurement and paper production conditions and other relevant considerations.

Tolerances

(2) Capacity tolerance. The "Minimum capacity" specified in Column 5 of the Table

below is subject to a maximum deficiency of 2% to compensate for errors caused by wear and tear of machine parts.

(3) Dimension tolerance. The dimensions specified in Columns 6, 7, and 8 of the Table below are approximate and may be varied slightly as manufacturing conditions require, provided the cubic capacity (where specified) is not decreased and provided, further, the total sheet area of the paper used is not increased more than 5%.

NOTE: Former paragraph (4) revoked; paragraphs (4) through (10) formerly designated 5(a) through (7).

Paper

(4) "Normal basis weight." is computed on the basis of 100% kraft, 500 sheets (24" x 36") to the ream, with a tolerance of 5% (plus or minus). Subject to the variables provided for in paragraph (1) above, kraft paper used in manufacturing any bag below shall be no heavier than the normal basis weight or weights specified in Column 9 of the Table below for that bag.

(5) Increases for other grades. Such weights may be appropriately increased when sulphite paper (bleached or unbleached) is used.

(6) Permitted grades. A double asterisk (**) after a normal basis weight figure signifies that bleached and unbleached kraft and bleached and unbleached sulphite grades of paper may be used for the particular bag. A single asterisk (*) after a normal basis weight figure signifies that only unbleached kraft grade of paper may be used for that particular bag. (With respect to the basis weights specified for Grocers self-opening (automatic) and square bags, the figures marked with a double asterisk (**) represent Popular Weight lines and the figures marked with a single asterisk (*) represent Heavy Weight lines.)

(7) Weights per grade. If more than one normal basis weight for any bag is shown in Column 9 below, a bag maker may make that bag, for stock, from unbleached kraft grades of all those weights (or the variables provided for in paragraph (1) above). In no other case, shall any bag maker make any bag, for stock, from more than one weight of any one grade of paper. Bleached, unbleached, M. G., M. F., machine-striped, and embossed papers shall be considered different grades. However, papers shall not be considered to be different in grade merely because they are different in color.

(8) Bursting and tear strength. When M. F. unbleached kraft paper is used, it shall have a minimum average bursting strength of 80% of the normal basis weight of the paper and an Elmendorf tearing strength of 170% of the normal basis weight of the paper, in the machine direction. This specification does not apply to other paper grades.

"SWS" Symbol

(9) "SWS" symbol. The symbol "SWS" shall be placed by the bag maker on the label or wrapper of each bundle of stock grocers and variety bags manufactured on and after March 1, 1943. Such symbol shall constitute a representation by the bag maker to the War Production Board that the bags in that bundle comply with the specifications of this Schedule or of any special authorization issued under this order L-261. The symbol "SS" when placed on any such bag, shall constitute a like representation. Such symbol "SS" shall be replaced by the symbol "SWS" when the bag maker has occasion to replace his existing stock of "SS" dies.

Specifications Table

(10) Specifications table. The specific type, size, and paper specifications are as follows:

TABLE OF SPECIFICATIONS FOR STOCK GROCERS AND VARIETY BAGS—ORDER L-261, SCHEDULE A

NOTE: Items Grocers Sack (satchel bottom); Variety Garment bags; Variety Pants bags; Variety Extra Heavy duty. Bottom width (5 lbs) amended August 31, 1943.

Type			Size					Paper
Clas.	Normal usage	Shape	Size	Minimum capacity (cu. in.)	Face (F) or Tube (T) width (in.)	Bottom (B) or Tuck (T) width (in.)	Bag length (in.)	Normal basis weight (lbs.) and grade ¹
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
GROCERS	General	Self-opening (automatic)	1/4 lb.	30	(F) 3	(B) 13 $\frac{1}{2}$	5 $\frac{1}{2}$	30**
			1 lb.	51	3 $\frac{1}{2}$	2 $\frac{3}{4}$	6 $\frac{1}{4}$	30**
			2 lb.	83	4 $\frac{1}{2}$	2 $\frac{3}{4}$	8 $\frac{1}{2}$	30**
			3 lb.	119	4 $\frac{1}{2}$	2 $\frac{3}{4}$	8 $\frac{1}{2}$	30**
			4 lb.	151	5	3 $\frac{1}{2}$	9 $\frac{1}{2}$	30**
			5 lb.	191	5 $\frac{1}{2}$	3 $\frac{1}{2}$	10 $\frac{1}{2}$	35** 40*
			6 lb.	240	6	3 $\frac{1}{2}$	11 $\frac{1}{2}$	35**
			8 lb.	304	6 $\frac{1}{2}$	3 $\frac{1}{2}$	12 $\frac{1}{2}$	35**
			10 lb.	350	6 $\frac{1}{2}$	4 $\frac{1}{2}$	13 $\frac{1}{2}$	35** 40*
			12 lb.	433	7 $\frac{1}{2}$	4 $\frac{1}{2}$	13 $\frac{1}{2}$	35** 40*
VARIETY	Candy	Self-opening (automatic)	16 lb.	593	7 $\frac{1}{2}$	4 $\frac{1}{2}$	16 $\frac{1}{2}$	40** 50*
			20 lb.	700	8 $\frac{1}{2}$	5 $\frac{1}{2}$	16	40** 50*
			25 lb.	779	8 $\frac{1}{2}$	5 $\frac{1}{2}$	17 $\frac{1}{2}$	40** 50*
			Square	29	(F) 3	(T) 11 $\frac{1}{2}$	6 $\frac{1}{2}$	30**
			1 lb.	50	3 $\frac{1}{2}$	2 $\frac{3}{4}$	7 $\frac{1}{2}$	30**
			2 lb.	81	4	2 $\frac{1}{2}$	9 $\frac{1}{2}$	30**
			3 lb.	116	4 $\frac{1}{2}$	3 $\frac{1}{2}$	10 $\frac{1}{2}$	30**
			4 lb.	147	5 $\frac{1}{2}$	3 $\frac{1}{2}$	11 $\frac{1}{2}$	30**
			5 lb.	186	5 $\frac{1}{2}$	3 $\frac{1}{2}$	12 $\frac{1}{2}$	35** 40*
			6 lb.	234	5 $\frac{1}{2}$	3 $\frac{1}{2}$	12 $\frac{1}{2}$	35**
VARIETY	Garment	Flat	7 lb.	270	5 $\frac{1}{2}$	3 $\frac{1}{2}$	14 $\frac{1}{2}$	35**
			10 lb.	341	6 $\frac{1}{2}$	4 $\frac{1}{2}$	15	35** 40*
			12 lb.	422	6 $\frac{1}{2}$	4 $\frac{1}{2}$	15 $\frac{1}{2}$	35**
			14 lb.	531	7 $\frac{1}{2}$	5 $\frac{1}{2}$	16 $\frac{1}{2}$	40** 50*
			20 lb.	682	8 $\frac{1}{2}$	5 $\frac{1}{2}$	18 $\frac{1}{2}$	40** 50*
			25 lb.	760	8 $\frac{1}{2}$	5 $\frac{1}{2}$	20 $\frac{1}{2}$	40** 50*
			Sack (satchel-bottom)	3 lb.	(F) 7 $\frac{1}{2}$	(T) 11 $\frac{1}{2}$	(1)	10 $\frac{1}{2}$
			5 lb.	873	8 $\frac{1}{2}$	(1)	12 $\frac{1}{2}$	30**
			7 lb.	1386	8 $\frac{1}{2}$	(1)	14 $\frac{1}{2}$	35**
			10 lb.	1782	17	(1)	15	35**
VARIETY	Pants	Flat	14 lb.	17	12 $\frac{1}{2}$	(1)	16 $\frac{1}{2}$	40**
			20 lb.	17	13 $\frac{1}{2}$	(1)	18 $\frac{1}{2}$	40**
			Square	3 $\frac{1}{2}$ bbl. poultry	(T) 14 $\frac{1}{2}$	(B) 4 $\frac{1}{2}$	21	40* 50* 60*
			3 $\frac{1}{2}$ bbl. bundle	17	6	21	50*	60*
			3 $\frac{1}{2}$ bbl. standard	17	6	27	40*	60* 70*
			Flat	30"	(F) 4 $\frac{1}{2}$	(T) 13 $\frac{1}{2}$	36	25**
			54"	54"	23 $\frac{1}{2}$	54	25**	
			Flat	36"	(F) 18	—	30	25**
			Flat	30"	(F) 18	—	26	30**
			Flat	18 x 26	(F) 18	—	—	
VARIETY	Laundry (hotel)	Flat	1 pt.	3 $\frac{1}{2}$	(F) 2 $\frac{1}{2}$	(T) 2 $\frac{1}{2}$	11 $\frac{1}{2}$	35*
			1 qt.	3 $\frac{1}{2}$	3 $\frac{1}{2}$	3	16 $\frac{1}{2}$	35*
			Square	1 pt.	(F) 3 $\frac{1}{2}$	(T) 2 $\frac{1}{2}$	11 $\frac{1}{2}$	35*
			1 qt.	3 $\frac{1}{2}$	3 $\frac{1}{2}$	3	16 $\frac{1}{2}$	35*
			Flat	36"	(F) 4	—	6 $\frac{1}{2}$	25**
			54"	54"	5	—	7 $\frac{1}{2}$	25**
			Flat	6 $\frac{1}{2}$	6 $\frac{1}{2}$	—	9 $\frac{1}{2}$	25**
			Flat	7 $\frac{1}{2}$	7 $\frac{1}{2}$	—	10 $\frac{1}{2}$	25**
			Flat	8 $\frac{1}{2}$	8 $\frac{1}{2}$	—	11	25**
			Flat	10	12	—	13	25**
VARIETY	Liquor bottles	Flat	12	15	—	15	25**	
			15	17	—	18	25**	
			17	21	—	21	25**	
			21	—	—	24	25**	
			Sack (satchel-bottom, handle)	895	(T) 14 $\frac{1}{2}$	(B) 4 $\frac{1}{2}$	17 $\frac{1}{2}$	70*
			1,186	17	5 $\frac{1}{2}$	—	17 $\frac{1}{2}$	70*
			Self-opening (automatic)	1 lb.	(F) 3 $\frac{1}{2}$	(B) 2 $\frac{1}{2}$	6 $\frac{1}{2}$	50*
			2 lbs.	83	4 $\frac{1}{2}$	2 $\frac{3}{4}$	8 $\frac{1}{2}$	50*
			3 lbs.	119	4 $\frac{1}{2}$	2 $\frac{3}{4}$	8 $\frac{1}{2}$	50*
			4 lbs.	151	5	3 $\frac{1}{2}$	9 $\frac{1}{2}$	50*
VARIETY	Notions	Flat	5 lbs.	191	5 $\frac{1}{2}$	3 $\frac{1}{2}$	10 $\frac{1}{2}$	50*
			6 lbs.	240	6	3 $\frac{1}{2}$	11 $\frac{1}{2}$	50*
			8 lbs.	304	6 $\frac{1}{2}$	3 $\frac{1}{2}$	12 $\frac{1}{2}$	60*
			10 lbs.	350	6 $\frac{1}{2}$	4 $\frac{1}{2}$	13 $\frac{1}{2}$	60*
			12 lbs.	433	7 $\frac{1}{2}$	4 $\frac{1}{2}$	13 $\frac{1}{2}$	60*
			16 lbs.	593	7 $\frac{1}{2}$	4 $\frac{1}{2}$	16 $\frac{1}{2}$	60*
			20 lbs.	700	8 $\frac{1}{2}$	5 $\frac{1}{2}$	16	60*
			25 lbs.	779	8 $\frac{1}{2}$	5 $\frac{1}{2}$	17 $\frac{1}{2}$	60*
VARIETY	Millinery	Flat	30"	895	(T) 14 $\frac{1}{2}$	(B) 4 $\frac{1}{2}$	17 $\frac{1}{2}$	70*
			36"	1,186	17	5 $\frac{1}{2}$	17 $\frac{1}{2}$	70*
			42"	—	—	—	—	
			48"	—	—	—	—	
			54"	—	—	—	—	
			60"	—	—	—	—	
			66"	—	—	—	—	
			72"	—	—	—	—	
			78"	—	—	—	—	
			84"	—	—	—	—	
VARIETY	Shopping	Sack (satchel-bottom, handle)	90"	—	—	—	—	
			96"	—	—	—	—	
			102"	—	—	—	—	
			108"	—	—	—	—	
			114"	—	—	—	—	
			120"	—	—	—	—	
			126"	—	—	—	—	
			132"	—	—	—	—	
			138"	—	—	—	—	
			144"	—	—	—	—	
VARIETY	Extra heavy duty (sugar)	Self-opening (automatic)	150"	—	—	—	—	
			156"	—	—	—	—	
			162"	—	—	—	—	
			168"	—	—	—	—	
			174"	—	—	—	—	
			180"	—	—	—	—	
			186"	—	—	—	—	
			192"	—	—	—	—	
			198"	—	—	—	—	
			204"	—	—	—	—	

¹ The sheet area of this bag (paper width multiplied by tube length) shall be no less than that of the square grocers bag of the corresponding size (in lbs.).

² The meaning of the asterisks (*) and (**) in Column 9 is explained in paragraph (6) of the Schedule A text which precedes this table.

NOTE: Exhibits 1 through 4 revoked.

Chapter XI—Office of Price Administration
PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,¹ Amdt. 49]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respects:

1. Section 1315.803 (d) is amended to read as follows:

(d) *Tires which cannot be recapped or which require repair or recapping.* No dealer or manufacturer may transfer to a consumer:

(1) A passenger-type tire which cannot be recapped, whether or not it is in need of repair, or any other tire in need of repair: *Provided, however, That a passenger-type tire which cannot be recapped, whether or not it is in need of repair, may be transferred in exchange for a certificate if the sidewall of the tire has been conspicuously marked by a branding iron with the figure "0".*

(2) A tire in need of recapping, except that a recappable passenger-type tire which is not worn to the breaker strip may be transferred without recapping in exchange for a certificate.

2. Section 1315.804 (c) (3) is amended by inserting the following clause after the table appearing therein:

Provided, however, That no dealer may in exchange for the replenishment portion (Part B) of a certificate or receipt, transfer a passenger-type tire which cannot be recapped unless the sidewall of the tire has been conspicuously marked by a branding iron with the figure "0".

3. Section 1315.804 (d) (2) is amended by inserting the phrase "or to the tread surface of a passenger-type tire which has been marked by a branding iron with the figure "0" after the phrase "serviceable as a recapped tire".

4. Section 1315.804 (c) (4) is amended by inserting the following phrase at the end of the first sentence:

Subject to the provisions of subparagraph (3) for branding passenger-type tires which cannot be recapped.

5. The headnote of § 1315.804 (e) is amended to read as follows:

(e) *Transfers of new tires and tubes, Parts B and camelback upon authorization.*

6. Section 1315.805 (e) (1) is amended by inserting the word "new" before each of the words "tires" and "tubes" and by deleting the phrase "the transferee is" and substituting therefor the words "such new tires, new tubes or camelback are".

7. Section 1315.804 (e) (2) is amended by deleting the phrase "transferee is" and substituting therefor the words "Parts B are".

8. Section 1315.804 (e) (3) is amended by inserting the phrase "be made by the

transferor and shall" after the word "shall".

9. The second sentence of § 1315.804 (j) (1) is amended to read as follows:

A dealer who acquires new tires or tubes under this paragraph shall surrender to the State or District Office which issued the authorization, within ninety (90) days of the date thereof, Parts B of certificates or receipts representing the number and type of new tires or tubes received pursuant to the authorization.

10. Section 1315.804 (j) (2) is amended by inserting the phrase "of new tires or tubes" after the word "transfer" appearing in the second sentence, and by deleting the phrase "transferred tires or tubes" appearing at the end of the third sentence and substituting therefor the words "new tires or tubes transferred".

11. Section 1315.804 (j) (2) (i) is amended by deleting the word "the" appearing before the word "tires" in the first sentence and substituting therefor the word "new".

12. Section 1315.804 (k) is amended to read as follows:

(k) *Transfer of used tires without certificate upon authorization.* (1) A person may, without certificate, transfer used tires to a dealer or manufacturer upon written authorization of the District Director for the area in which the tires are located.

(2) Application for authority to make a transfer under this paragraph shall be made by the transferor and shall state the names and addresses of the transferor and transferee and the number and type of tires to be transferred.

(3) No dealer shall, under an authorization issued pursuant to this paragraph, transfer to another dealer passenger-type tires which cannot be recapped unless the sidewalls of such tires have been conspicuously marked by a branding iron with the figure "0". No recapper shall apply truck or passenger-type camelback to the tread surface of a passenger-type tire which has been so marked.

(4) A dealer receiving scrap tires under an authorization issued pursuant to this paragraph shall, within ten (10) days of their receipt, notify his OPA District Office of the number of such tires. He shall not dispose of such tires for a period of thirty (30) days from the date of the notification unless they have been inspected and approved for disposal by an OPA Tire Examiner.

13. Section 1315.806 (a) is amended to read as follows:

(a) *Transfers to Reconstruction Finance Corporation or its subsidiaries.* A person may, without certificate, transfer tires, tubes or camelback to the Reconstruction Finance Corporation or to any corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act, as amended, or any representative designated to receive tires, tubes or camelback on their behalf.

14. Section 1315.807 (f) is amended to read as follows:

(f) *Transfers by Reconstruction Finance Corporation or its subsidiaries.*

Reconstruction Finance Corporation or any corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act, as amended, may transfer tires, tubes or camelback upon written authorization of the Office of Price Administration, Washington, D. C.

15. Section 1315.901 (f) is amended by adding to the end thereof the following sentence:

No person shall remove from the sidewall of a passenger-type tire the figure "0" which has been marked upon the tire by a branding iron.

16. Sections 1315.1003 (d) and 1315.1005 (g) are revoked.

This amendment shall become effective August 28, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 28th day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14179; Filed, August 30, 1943; 3:10 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 3,¹ Amdt. 85]

SUGAR RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Rationing Order No. 3 is amended in the following respects:

1. A new item is added to § 1407.241, Schedule A, Table I, as follows:

Product	Size of unit	Maximum sugar allowance per unit in pounds
Sweet potatoes.....	24/2's.....	2.00

2. Section 1407.241, Schedule A, Table IV, is amended to read as follows:

TABLE IV—FROZEN FRUIT

Product	Unit (quantity of fruit)	Quantity of sugar allowed in pounds per unit of fruit	
		Packed in containers of 30-lb. weight or greater	Packed in wrapped packages
Apples and crabapples.....	Pounds.....	None
Apricots.....	5.....	1.....	1.....
Cherries.....	3.....	1.....	1.....
Citrus pulp and citrus marmalade base.....	4.....	1.....	None
Loganberries.....	5.....	1.....	1.....
Nectarines.....	3.....	1.....	1.....
Peaches.....	4.....	1.....	1.....
Plums, all types.....	4.....	1.....	1.....
Raspberries.....	6.....	1.....	None
Rhubarb.....	6.....	2.....	1½
Strawberries.....	4.....	1.....	1.....
Blackberries.....	4.....	None.....	1.....
Boysenberries.....	4.....	None.....	1.....
Pineapples.....	3.....	1.....	1.....
Pears.....	3.....	1.....	None
All other fruits.....	None.....	None

¹ 8 F.R. 5909, 5846, 6135, 6442, 6626, 6961, 7351, 7380, 8010, 8189, 8678, 8811, 9304, 9458, 10304, 10512, 11382, 10937, 11291, 11292, 11252.

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 10079, 10085, 10264, 10430, 10733, 11480, 11481.

No sugar may be allowed to pack any of the above fruits in puree form in containers of less than 30-pounds weight.

This amendment shall become effective August 28, 1943.

(Pub. Law 421, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. No. 1 and Supp. dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005)

Issued this 28th day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14188; Filed, August 30, 1943; 3:12 p. m.]

PART 1401—SYNTHETIC TEXTILE PRODUCTS

[Rev. MPR 339,¹ Amdt. 1]

WOMEN'S RAYON HOSIERY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Regulation 339 is amended in the following respects:

1. Section 7 (a) (2) is amended to read as follows:

(2) *Methods of marking.* The hosiery must be marked with a transfer, label, ticket, marker or other device which is firmly affixed to at least one stocking of each pair of hosiery at the time it is delivered to the purchaser. However, inserts may be used by manufacturers until December 1, 1943 and by other sellers until January 1, 1944.

2. Section 10 (a) is amended to read as follows:

(a) *Sales to war procurement agencies.* This regulation does not apply to sales of hosiery made to military specifications, when such sales are made directly or indirectly to war procurement agencies. These sales are defined in § 1378.1 (a) of Maximum Price Regulation 157.² Sales and Fabrication of Textiles, Apparel and Related Articles for Military Purposes, and are governed by the provisions of that regulation.

This amendment shall become effective August 30, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14195; Filed, August 30, 1943; 4:57 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 28 Under § 1499.18 (c) of GMPR]

SOUTHERN HANDKERCHIEF CO.

Order No. 28 under § 1499.18 (c), as amended, of the General Maximum Price Regulation; Docket No. GF3-3256.

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 11741.

² 7 F.R. 4273, 4541, 4618, 5180, 5716, 6004, 6424, 8948; 8 F.R. 3948, 7507.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1528 *Denial of application of Southern Handkerchief Company, Greenville, South Carolina, for an adjustment of a maximum price for handkerchiefs.* (a) The application of Southern Handkerchief Company, filed May 3, 1943 for an adjustment of its maximum price for handkerchiefs is hereby denied.

This Order No. 28 shall become effective August 31, 1943.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14202; Filed, August 30, 1943; 5:00 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 8 Under Supp. Reg. 15 of GMPR]

J. FRANKLIN BURKE & CO., INC.

For the reasons set forth in an opinion issued simultaneously herewith, *It is hereby ordered:*

§ 1499.1608 *Adjustment of maximum prices for sales of certain asbestos textile products by J. Franklin Burke & Co., Inc.* (a) On and after August 31, 1943, J. Franklin Burke & Co., Inc., 5 Union Square W., New York, New York, may sell and deliver and any person may buy and receive from J. Franklin Burke & Co., Inc., the following grades of asbestos textile products at prices not higher than those set forth as follows:

Green Mountain, Commercial Quality, 10 cut 2 ply, width 40", \$.484 per pound, f. o. b. Northfield, Vermont.

Montpelier, Commercial Quality, 10 cut 2 ply, width 60", \$.533 per pound, f. o. b. Northfield, Vermont.

Roxbury, Underwriters Quality, 10 cut 2 ply, width 40", \$.55 per pound, f. o. b. Northfield, Vermont.

Stowe, Underwriters Quality, 10 cut 2 ply, width 60", \$.605 per pound, f. o. b. Northfield, Vermont.

(b) The above prices shall be subject to the cash discounts and terms of payment which the seller had in effect in March 1942.

(c) This Order No. 8 shall become effective August 31, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of August, 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14204; Filed, August 30, 1943; 5:03 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 96 Under Supp. Reg. 15 of GMPR]

**BOARD OF HARBOR COMMISSIONERS,
WILMINGTON, DEL.**

Order No. 96 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 of

the General Price Regulation; Docket No. GF3-3392.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1396 *Adjustment of maximum prices for warehouse services sold by the Board of Harbor Commissioners, Wilmington, Delaware.* (a) The Board of Harbor Commissioners of the City of Wilmington, Delaware, may sell and supply and any person may buy and sell from it the following warehouse services performed at the Wilmington Marine Terminal in the City of Wilmington, Delaware:

(i) For storage of canned goods, 3¢ per hundred weight per month or fraction thereof; and

(ii) For handling canned goods in and out of warehouse, 6¢ per hundred weight.

(b) All prayers of the petition not granted herein are denied.

(c) This Order No. 96 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 96 (§ 1499.1396) shall become effective as of January 1, 1943.

(Pub. Laws 421 and 729, 77th Cong. E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14203; Filed, August 30, 1943; 5:02 p. m.]

PART 1306—IRON AND STEEL

[RPS 10,¹ Amdt. 7]

PIG IRON

A statement of consideration involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In the table of § 1306.56, the first item under the heading "Charcoal" is amended to read as follows:

Lake Superior Furnace----- \$34.00

This amendment shall be effective as of July 1, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14176; Filed, August 30, 1943; 3:09 p. m.]

PART 1306—IRON AND STEEL

[Rev. MPR 230,² Amdt. 1]

REUSABLE IRON AND STEEL PIPE AND USED STRUCTURAL PIPE

A statement of considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

¹ 8 F.R. 1236, 2482, 4627.

² 8 F.R. 1621, 3520.

Revised Maximum Price Regulation 230 is amended in the following respects:

1. Section 1306.451 (a) is amended to read as follows:

(a) *Sales of reusable iron and steel pipe and used structural pipe at higher than maximum prices prohibited.* (a) On and after February 9, 1943, regardless of any contract or other obligation, no person shall sell or deliver to a consumer or exporter, and no consumer or exporter shall buy or receive in the course of trade or business, any reusable iron and steel pipe at prices higher than the maximum prices established by Appendix A (§ 1306.464) of this regulation, or any used structural pipe at prices higher than the maximum prices established by Appendix B (§ 1306.465) of this regulation or when sold or delivered on or after September 4, 1943, any reusable iron and steel pipe of a diameter larger than 26" OD or any reusable spiral weld pipe of the sizes and thicknesses set forth in Appendix C (§ 1306.466) of this regulation at prices higher than the maximum prices established by Appendix C, and no such person, consumer or exporter shall agree, offer, or attempt to do any of these things.

2. Section 1306.452 (a) (1) is amended to read as follows:

(1) "Reusable iron and steel pipe" means used iron and steel pipe, casing and tubing including boiler tubing), with or without fittings, of all the types, sizes and weights referred to in Appendix A (§ 1306.464) and of the types, sizes and thicknesses referred to in Appendix C (§ 1306.466) (all reusable spiral weld pipe of sizes and thicknesses not specified in Appendix C are included in Appendix A): *Provided*, That such pipe is (i) suitable without further reconditioning for the purpose (other than resale) for which it was purchased, (ii) suitable for use for any purpose for which new pipe of prime quality is customarily used and (iii) capable of conducting, without leakage, liquids and gases at a pressure of at least 50 pounds per square inch. "Reusable iron and steel pipe" includes such pipe whether black or galvanized and whether plain end, or threaded, or furnished with couplings. Cast iron pipe or chrome-nickel stainless steel pipe are not included.

3. Section 1306.453 is amended by changing the first sentence thereof to read as follows:

§ 1306.453 *How to figure maximum prices.* Maximum prices and extras specified in Appendix A (§ 1306.464) for reusable iron and steel pipe and in Appendix B (§ 1306.465) for used structural pipe and in Appendix C (§ 1306.466) for reusable spiral weld pipe of specified sizes and thicknesses and for reusable iron and steel pipe of a diameter larger than 26" OD are f. o. b. shipping point.

4. Section 1306.454 is amended to read as follows:

§ 1306.454 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by

the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant authorization has been delegated. The authorization if granted will be given by order.

5. Section 1306.457 (a) is amended by adding clauses (12) and (13) as follows:

(12) The amount of the extra charges, if any, listing each extra separately, and stating that the extra services were rendered at the request of the purchaser.

(13) The above invoicing requirements do not apply to sales of reusable iron and steel pipe and used structural pipe amounting to \$5.00 or less.

6. Section 1306.462 is amended to read as follows:

§ 1306.462 *Licensing.* The provisions of Supplementary Order No. 17,² licensing sellers of iron and steel products, are applicable to every person subject to this regulation. That order provides, in brief, that a license is necessary to make sales of any iron or steel for which maximum prices are established by this and other maximum price regulations. A license is hereby automatically granted. It is not necessary to apply for the license but all sellers may later be required to register. The license may be suspended for violations in connection with the sale of any commodity covered by the order, and no person whose license is suspended may sell any such commodity during the period of suspension.

7. Section 1306.464 (b) (1) is corrected as follows:

In Table I—the figure of \$84.60 for plain end pipe 8 $\frac{5}{8}$ " OD weight 24.70 pounds in Zone 7 is corrected to read \$107.80.

8. Section 1306.464 (d) (2) is hereby revoked and a new sub-paragraph (2) added in its place as follows:

(2) *Joint welding.* For each weld 10¢ per lineal inch of circumference, for lighter than standard weight pipe,³ and 11¢ per lineal inch of circumference for standard weight pipe or heavier: *Provided*, That in no event may a charge be made for more than one welded joint for each 30 lineal feet of the pipe requiring welding.

² 7 F.R. 7239, 11007.

³ Standard weight pipe shall mean plain end weights in any diameter size listed in Table VI, American Petroleum Institute, Standard Specifications 5 L, Eighth Edition May 1942, except that in all sizes larger than 20" OD, Wall thickness of .375 (3/8") shall be deemed standard.

9. Section 1306.464 (d) is amended by adding subparagraphs (3) and (4) as follows:

(3) *Prime coating.* Whenever pipe is dipped in a solution of bituminous asphalt or coal tar, or when the pipe is prime coated with a similar solution whether by dipping or any other process, an extra charge of \$7.50 per net ton of the weight of the pipe after prime coating.

(4) *Other extras.* Whenever pipe is wrapped with a protective coating, cleaned by sandblasting or steaming or both, safe-ended or reconditioned in the case of boiler tubing to underwriters' specifications so as to be suitable for retubing purposes, the charge or charges therefore may not exceed those, if any, which the seller customarily made for such service or services between August 15, 1941 and October 15, 1941, inclusive: *Provided*, That no charge may be made for cleaning by sandblasting or steaming or both if the premiums applicable under subparagraphs (b) (2) and (c) (3) of this Appendix A (§ 1306.464) are charged: *Provided further*, That no extra charge or charges authorized in this subparagraph (5) may be made after April 1, 1943, unless the seller has filed with the Iron and Steel Branch of the Office of Price Administration, Washington, D. C., on or before such date a sworn statement setting forth the charge or charges which the seller customarily made between August 15, 1941 and October 15, 1941, inclusive, for each such extra. A seller who failed to file such a sworn statement before April 1, 1943, or who was not engaged in the business of selling reusable iron and steel pipe between August 15, 1941, and October 15, 1941, inclusive, must apply to the Office of Price Administration, Washington, D. C., for the charge or charges which it will be permissible for him to make for any of these extras.

10. Section 1306.466 is added to read as follows:

§ 1306.466 *Appendix C: Maximum shipping point prices for certain sizes and thicknesses of reusable spiral weld pipe and for all reusable iron and steel pipe larger than 26" OD.* The maximum shipping point price for the sizes, thicknesses and weights of the types of iron and steel pipe enumerated below shall be 70% of the mill carload delivered price at the shipping point for similar new material:

All reusable iron and steel pipe of a diameter larger than 26" OD.

All reusable spiral weld pipe 8 $\frac{5}{8}$ " OD or smaller, of a thickness of 10 gauge (BWG) or lighter; all reusable spiral weld pipe larger than 8 $\frac{5}{8}$ " OD up to and including 26" OD, of a thickness of 8 gauge (BWG) or lighter; all reusable spiral weld pipe larger than 26" OD of any thickness.

A seller who is unable to ascertain the new mill carload delivered price may apply in writing to the Office of Price Administration, Iron and Steel Branch, Washington, D. C. for the permissible selling price for the pipe which he proposes to sell, such application to set forth

a description in detail of the pipe for which a maximum price is sought.

This Amendment 1 shall become effective September 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14177; Filed, August 30, 1943;
3:08 p. m.]

PART 1306—IRON AND STEEL

[MPR 241, Amdt. 4]

MALLEABLE IRON CASTINGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 241 is amended in the following respects:

1. Section 1421.106 is amended to read as follows:

§ 1421.106 Adjustable pricing. Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

2. Section 1421.116 (b) (1) (i) is amended by the addition of a proviso after the last word of subdivision (i) to read as follows:

(i) * * * *And provided further*, That the seller may, in computing his maximum price of a malleable iron casting under this paragraph, add to the maximum price of such casting which would otherwise be arrived at, an amount to compensate for the cost of overtime labor, such amount to be separately invoiced and computed in the manner set forth in paragraph (e) of this section.

3. Section 1421.116 (b) (2) (ii) is revoked.

4. Section 1421.116 (d) is amended by the addition of a proviso after the last word of paragraph (d) to read as follows:

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 8427, 8941; 8 F.R. 325, 4733.

(d) * * * *Provided*, That the seller may, in computing his maximum price of a malleable iron casting under this paragraph, add to the maximum price of such casting which would otherwise be arrived at, an amount to compensate for the cost of overtime labor, such amount to be separately invoiced and computed in the manner set forth in paragraph (e) of this section.

5. A new paragraph (e) is added to § 1421.116 to read as follows:

(e) *Method of computing overtime addition permitted under paragraphs (b) and (d) of this section.* The addition which may be made to compensate for the cost of overtime labor (both direct and indirect shop and clerical labor) incurred in producing malleable iron castings, as provided in paragraphs (b) and (d) of this section, shall be computed as follows:

The seller shall (1) elect to compute overtime on a calendar monthly or a calendar quarterly basis, and such election shall be final, i. e., the seller may not shift from a monthly to a quarterly basis if he has chosen a monthly basis, and vice versa (the calendar month or calendar quarter, whichever is selected, shall be referred to in this paragraph as the "period"), (2) determine the overtime premium (as used in this paragraph, the term "overtime premium" means the excess of total payments to labor incurred in producing malleable iron castings in a

² An example of the method of computing overtime labor costs in accordance with the requirements of § 1421.116 (e) is as follows: Assume that total overtime premium paid to labor involved in the production of malleable iron castings for the period immediately preceding the period in which the casting in question is priced amounts to \$1,000; that total gross sales of malleable iron castings invoiced during such preceding period were \$20,000; that the percentage increase of average straight time hourly earnings during such preceding period over average straight time hourly earnings during the payroll period immediately preceding October 15, 1941, was 10%; and that the maximum price of the casting established under paragraph (b) of § 1421.116 is \$200 without the inclusion of any overtime. Then:

(a) Total overtime premium per dollar of sales of malleable iron casting
\$1,000.00

20,000.00 = \$0.05 per \$1 of sales

(b) Total overtime premium per dollar of sales of malleable iron casting reduced to reflect average straight time hourly earnings in the payroll period immediately preceding October 15, 1941.

\$0.05
1.10 = \$0.45 per \$1 of sales

(c) Permissible overtime labor charge = \$200.00 × \$0.45 = \$90

(d) New maximum price of casting
\$200.00 + \$9.00 = \$209.00

The \$9.00 charge must be shown separately on the invoice.

If the original maximum price of \$200.00 under paragraph (b) of § 1421.116 already included a charge of, say, \$4 for overtime labor cost, then:

(c) In the above example would be
\$196 × \$0.45 = \$8.82

(d) In the above example would be
\$196 + \$8.82 = \$204.82

period above what would have been made for the same period if no overtime were paid) per dollar of sales of malleable iron castings for the period immediately preceding the period in which the casting in question is priced, by dividing the overtime premium during such preceding period by the total gross sales of malleable iron castings invoiced during such period, except that if the casting in question is priced within 15 days after the close of the preceding period, the next preceding period shall be used, (3) reduce such overtime premium per dollar of sales to reflect the percentage by which average straight time hourly earnings during such applicable preceding period exceed the average straight time hourly earnings during the payroll period (the time element in a "payroll" period" may not be the same as that in a "period") immediately preceding October 15, 1941, and (4) apply the resultant rate in (3) to the maximum price of the casting which would otherwise be arrived at under paragraph (b) or (d) of this section: *Provided however*, That before overtime labor cost, as specified in the foregoing, may be applied and added to the maximum price of a casting which would otherwise be arrived at under paragraph (b) of this section, such maximum price must be reduced to the extent that it already reflects any overtime labor costs.

This amendment shall become effective September 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14178; Filed, August 30, 1943;
3:07 p. m.]

PART 1335—CHEMICALS

[RPS 31, Amdt. 3]

ACETIC ACID

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1335.210 (f) is added to read as set forth below:

(f) *Sales by Bigler Chemical Corporation.* Notwithstanding any other provisions of this section, the following maximum prices are established for sales of acetic acid produced from fermentation ethyl alcohol by Bigler Chemical Corporation, 1429 Walnut Street, Philadelphia, Pennsylvania:

(1) *Sales in tank cars.* (i) Glacial acetic acid (99.5% or over) — \$9.80 per hundred pounds, f. o. b. works.

(ii) For sales of any other grade of acetic acid, the maximum price shall be the maximum price for 99.5% glacial acetic acid reduced in proportion to the reduction in the acetic acid content.

(2) *Sales in carload and less than carload lots.* The maximum price for

¹ 7 F.R. 1263, 2132, 8201, 8948, 9894.

sales in carload and less than carload lots, f. o. b. works, containers excluded, shall be the maximum tank car price established in subparagraph (1) for the grade of acetic acid being sold, plus \$10 per hundred pounds.

This amendment shall become effective August 30, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14180; Filed, August 30, 1943;
3:09 p. m.]

PART 1340—FUEL

[MPR 137¹ Incl. Amdt. 36]

PETROLEUM PRODUCTS SOLD AT RETAIL

Sections 1340.81 (a), 1340.89 (d) added; § 1340.86 (b), (d), and (e) revoked, effective September 3, 1943, so that Maximum Price Regulation No. 137 including Amendment No. 36 will read as follows:

In the judgment of the Price Administrator, the prices of motor fuel and Diesel fuel, sold at service stations, have risen or are threatening to rise to an extent, and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942.

In the judgment of the Price Administrator, the maximum prices established by this Maximum Price Regulation No. 137 are necessary to check inflation and to effectuate the purpose of the Act.

In the judgment of the Price Administrator, the maximum prices established by this Maximum Price Regulation No. 137 are generally fair and equitable. So far as practicable, the Price Administrator gave due consideration to prices prevailing between October 1 and 15, 1941, and to relevant factors of general applicability. So far as practicable the Price Administrator consulted with representatives of the industry which will be affected by this Maximum Price Regulation No. 137.

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 137 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Therefore, under the authority invested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1² issued by the Office of Price Administration, Maximum Price Regulation No. 137 is hereby issued.

¹ 7 F.R. 3165.

² Statements of considerations also have been issued simultaneously with the issuance of amendments. Requests for copies should be addressed to the Office of Price Administration.

³ Revised, 7 F.R. 8961; 8 F.R. 3313, 3533, 6173.

No. 173—3

Sec.	
1340.81	Maximum prices for petroleum products sold at retail establishments.
1340.82	Federal and State taxes.
1340.83	Less than maximum prices.
1340.84	Evasion.
1340.85	Records and reports.
1340.86	Statement and posting of maximum prices of motor fuels sold at retail establishments.
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1340.89	Procedure for adjustment or amendment.
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1340.91	Appendix A: Maximum prices for petroleum products sold at retail establishments.
1340.92	Applicability.
1340.93	Effective date.
1340.93a	Effective dates of amendments.
1340.94	Applicability of the General Maximum Price Regulation.
1340.95	Transfer or changes in operators of service stations.

AUTHORITY: §§ 1340.81 to 1340.95, inclusive, issued under Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871.

§ 1340.81 Maximum prices for petroleum products sold at retail establishments. On and after May 18, 1942, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver petroleum products at retail establishments at prices higher than the maximum prices set forth in Appendix A, incorporated herein as § 1340.91; and no person shall agree, offer, solicit or attempt to sell petroleum products at retail establishments at prices higher than the maximum prices.

(a) Petroleum products which are included in this regulation. Sales of the following petroleum products at retail are governed by this regulation:

Motor fuel.
Motor lubricating oil.
Kerosene.
Prime white distillate.
Nos. 1 and 2 fuel oil and range oil.
Cleaners or other naphthas.
Solvents.
Mineral spirits.
Distillate fuel oils and other petroleum fractions when sold as anti-freeze preparations.

[§ 1340.81 amended by Amendment 4, 7 F.R. 4853, effective 6-29-42; paragraph (a) added by Amendment 36, effective 9-3-43]

§ 1340.82 Federal and state taxes. Any tax upon or incident to the sale, delivery, processing, or use of petroleum products, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such petroleum products and in preparing the records of such seller with respect thereto:

(a) As to a tax in effect during March 1942. (1) If the seller paid such tax,

or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during March, 1942, the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining his maximum price under this Maximum Price Regulation No. 137.

(2) In all other cases, if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of the tax paid by any prior vendor and separately stated and collected, and in such case the seller shall not include such amount in determining the maximum price under this Maximum Price Regulation No. 137.

(b) As to a tax or increase in a tax which becomes effective after March 13, 1942. If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased: Provided, however, That in the case of the increase in the federal excise on lubricating oils provided by the Revenue Act of 1942, effective November 1, 1942, a seller of motor lubricating oil subject to this Maximum Price Regulation No. 137 who separately states the amount of such increase and who actually pays the amount of such increase or an amount equal thereto paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, may collect in addition to the maximum price, an additional sum as follows:

On each sale of five quarts or less, one cent; on each sale of more than five quarts, the total amount of the increase, adjusted to the nearest cent.

[§ 1340.82 as amended by Amendment 12; 7 F.R. 9335, effective 11-1-42]

[Note: Special provisions for taxes in Puerto Rico are contained in § 1340.91 (g)]

[Note: Supplementary Order No. 31 (7 F.R. 9894) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of

transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."

§ 1340.83 Less than maximum prices. Lower prices than those set forth in Appendix A (§ 1340.91), may be charged, demanded or offered.

§ 1340.84 Evasion. The price limitations set forth in this Maximum Price Regulation No. 137 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to petroleum products sold at retail establishments, alone or in connection with any other commodity by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying agreement or other trade understanding, or otherwise. Without limiting the generality of the foregoing, no person subject to this Maximum Price Regulation No. 137 shall change his customary allowances, discounts or other price differentials unless such change results in a lower price.

[§ 1340.84 as amended by Amendment 4; 7 F.R. 4853, effective 6-29-42]

[**NOTE:** Supplementary Order No. 29 (7 F.R. 9816) lists certain services customarily offered by retailers which may be curtailed or eliminated without a compensating reduction in ceiling prices.]

§ 1340.85 Records and reports—(a) Base period records. Every person selling petroleum products at service stations subject to this Maximum Price Regulation No. 137 shall:

(1) Preserve for examination by the Office of Price Administration all his existing records relating to the prices which he charged for such petroleum products as he delivered during March 1942 and his offering prices for delivery of petroleum products during such month; and

(2) Prepare, on or before July 1, 1942, on the basis of all available information and records, and thereafter keep for examination by any person during ordinary business hours, a statement showing:

(i) The highest prices which he charged for such petroleum products as he delivered during March 1942, and his offering prices for delivery of petroleum products during such month, together with an appropriate description or identification of such petroleum products by reference to kind and grade;

(ii) All his customary allowances, discounts and other price differentials.

(b) **Current records.** Every person selling petroleum products at service stations subject to this Maximum Price Regulation No. 137 shall keep, and make available for examination by the Office of Price Administration records of the same kind as he customarily kept, relating to the prices which he charged for such motor fuel as he sold at service stations after May 18, 1942, and, in addition, records showing as precisely as possible, the basis upon which he deter-

mined maximum prices for such motor fuel.

[§ 1340.85 as amended by Amendment 4, 7 F.R. 4853, effective 6-29-42]

§ 1340.86 Statement and posting of maximum prices of motor fuels sold at retail establishments. (a) Every person selling petroleum products at service stations subject to this Maximum Price Regulation No. 137 shall post the maximum price chargeable to purchasers of the class to whom he made the bulk of his sales for each grade of petroleum products in a manner plainly visible to and understandable by, each purchaser. Such postings shall be marked "maximum prices", "ceiling prices" or "our ceiling", beneath which shall be marked each grade of the petroleum product offered for sale and opposite each grade shall be stated the maximum price for that grade. Notwithstanding anything to the contrary contained in the General Maximum Price Regulation or in § 1340.86 (d) of Maximum Price Regulation No. 137 every person whose maximum prices are increased pursuant to authorization by the Office of Price Administration shall indicate separately either for 60 days after such authorization or for so long as the increase remains effective, whichever period is shorter, the amount by which the maximum prices were increased, and the fact that such increase was authorized by the Office of Price Administration. In making this representation such person shall use the following language: "Amount of Increase—cents per gallon—Approved by the Office of Price Administration" or any other statement supplying the same information.

[Paragraph (a) as amended by Amendment 10, 7 F.R. 7902, effective 10-5-42]

(b) [Revoked]

[Paragraph (b) amended by amendment 10; revoked by Amendment 36, effective 9-3-43]

(c) Any person subject to the provisions of this section may mark or post maximum prices for commodities for which maximum prices are established by this regulation, either in accordance with the provisions of this section or with the provisions of § 1499.13 (a) of the General Maximum Price Regulation.

[Paragraph (c) as amended by Amendment 14, 7 F.R. 11088, effective 12-1-41]

(d) [Revoked]

(e) [Revoked]

[Paragraph (d), added by amendment 14, 7 F.R. 11008, effective 12-1-42; paragraph (e) added by amendment 19, 8 F.R. 1226, effective 2-1-43; revoked by Amendment 36, effective 9-3-43]

§ 1340.87 Sales slips and receipts. Any person subject to this Maximum Price Regulation No. 137, who has customarily given a purchaser a sales slip, receipt or similar evidence of purchase shall continue to do so. Upon request from a purchaser any person subject to this Maximum Price Regulation No. 137 shall give the purchaser a receipt showing the date, the name and address of the seller, the kind, grade and quantity

* 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047, 6962, 8511, 9025.

of the petroleum products sold, and the price received for it.

[§ 1340.87 as amended by Amendment 4, 7 F.R. 4853, effective 6-29-42]

§ 1340.88 Enforcement. (a) Persons violating any provision of this Maximum Price Regulation No. 137 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damage provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 137 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1340.88a Licensing; applicability of the registration and licensing provisions of the General Maximum Price Regulation. The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation selling at wholesale or retail any petroleum product covered by this Maximum Price Regulation. When used in this section the terms "selling at wholesale" and "selling at retail" have the definitions given to them by §§ 1499.20 (p) and 1499.20 (o) respectively of the General Maximum Price Regulation. Said registration and licensing provisions became effective as to persons selling at wholesale on May 11, 1942, and as to persons selling at retail on May 18, 1942.

[§ 1340.88a added by Amendment 7, 7 F.R. 5941, effective 7-31-42]

§ 1340.89 Procedure for adjustment or amendment. (a) The Office of Price Administration or any duly authorized representative thereof, may adjust any maximum price established under the Maximum Price Regulation No. 137 in the case of any seller of a petroleum product at a retail establishment who shows:

(1) That such maximum price is abnormally low in relation to the maximum price of such petroleum product established for other sellers thereof at retail establishments; and

(2) That this abnormality subjects him to substantial hardship.

Applications for adjustment under this paragraph (a) shall be filed in accordance with Revised Procedural Regulation No. 1.

No application for adjustment filed after November 30, 1942 will be granted under this paragraph (a).

[Paragraph (a) as amended by Amendment 11, 7 F.R. 8938, effective 11-4-42]

(b) **Petitions for amendment.** Any person seeking an amendment of this Maximum Price Regulation No. 137 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[Paragraph (b) as amended by Supplementary Order 26, 7 F.R. 8948, effective 11-4-42]

(c) [Revoked]

[Paragraph (c) added by Amendment 6; revoked by Amendment 11, 7 F.R. 8938, effective 11-4-42]

(d) *Adjustments because of Fair*

Trade Acts. Maximum prices established under this regulation may be adjusted in the case of any seller at retail who shows:

(1) That his maximum price for any commodity established under this regulation is less than the minimum price in effect for such commodity during March 1942 pursuant to a contract entered into in accordance with a Fair Trade Act of any state; and

(2) That the commodity was generally sold at retail during March 1942 at such minimum price within the locality in which his selling establishment is located; and

(3) That he has been permanently enjoined by a court from selling the commodity at less than such minimum price. In such a case the maximum price of such seller will be increased to such minimum price. Applications for adjustment shall be filed in accordance with Revised Procedural Regulation No. 1.

[Paragraph (d) added by Amendment 36, effective 9-3-43]

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1340.90 Definitions. (a) When used in this Maximum Price Regulation No. 137, the term:

(1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions and any agency of any of the foregoing.

(2) "Motor fuel" means liquid fuel, including Diesel fuel, used for the propulsion of motor vehicles or motorboats, and shall include any liquid fuel to which Federal gasoline taxes apply except aviation gasoline of 87 octane rating or higher.

[Paragraph (2) amended by Amendment 30, 8 F.R. 4511, effective 4-12-43]

(3) "Service station" means any place of business or part thereof, where motor fuel is delivered into the fuel supply tanks of motor vehicles or motorboats.

(4) "Appropriate War Price and Rationing Board" means the War Price and Rationing Board for the area in which is located the seller's service station from which petroleum products are offered for sale.

[Paragraph (4) as amended by Amendment 4, 7 F.R. 4853, effective 6-29-42]

(5) "Seller." (i) Where a seller makes sales through more than one service station, each separate service station shall be deemed to be a separate seller, except that for the purposes of § 1499.16 of the General Maximum Price Regulation, granting licenses to sellers subject to this Maximum Price Regulation No. 137, the owner of the business shall be considered the seller regardless of the number of separate places of business he owns.

[NOTE: Under Supplementary Order No. 13 (7 F.R. 6523) retail sellers operating more than one establishment may apply for authorization to determine and use uniform maximum prices.]

(ii) "Seller of the same class" means a seller (a) performing the same function, (b) of similar type, (c) dealing in the same type of commodity, and (d) selling to the same class of purchaser.

[Paragraph (5) as amended by Amendment 1, 7 F.R. 3749, effective 5-19-42]

(6) "A seller's most closely competitive seller of the same class" shall be a seller of the same class who: (i) is selling the same commodity, (ii) is closely competitive in the sale of such commodity and (iii) is located nearest to the seller.

(7) "Offering price" means the price at which petroleum products were offered for sale at the seller's motor fuel pumps. But "offering price" shall not include a price offered as a bargaining price by a seller who usually sells at a price lower than his asking price.

(8) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for petroleum products at service stations to different purchasers or kinds of purchasers located in different areas or for different quantities or grades under different conditions of sale.

[Paragraphs (7) and (8) as amended by Amendment 4, 7 F.R. 4853, effective 6-29-42]

(9) "Sell" includes sell, supply, dispose, barter, exchange, transfer and deliver, and contracts and offers to do any of the foregoing.

(10) "Highest price charged during March, 1942" means the highest price which the seller charged for motor fuel delivered by him at a service station during March 1942; or if the seller made no such delivery during March, 1942, his highest offering price for delivery during that month.

(11) "Curtailment area" means:

(i) The entire eastern part of the continental United States up to and including all of the counties of Wayne, Ontario and Steuben in the State of New York; Tioga, Lycoming, Clinton, Centre, Blair and Bedford in the State of Pennsylvania; Allegany in the State of Maryland; Mineral, Grant and Pendleton in the State of West Virginia; Highland, Bath, Alleghany, Craig, Giles, Pulaski,

Wythe and Grayson in the State of Virginia; Ashe, Watauga, Avery, Mitchell, Yancey, Madison, Haywood, Swain, Graham and Cherokee in the State of North Carolina; Fannin, Murray, Whitfield, Catoosa, Dade, Walker, Chattooga, Floyd, Polk, Haralson, Carroll, Heard, Troup, Harris, Muscogee, Chattahoochee, Stewart, Quitman, Clay, Early, Seminole and Decatur in the State of Georgia; and Gadsden, Liberty and that part of Franklin which lies east of the Apalachicola River in the State of Florida: *Provided*, That if any part of any incorporated or unincorporated city, town or village or if any part of any service station is located within the aforementioned area, all of such city, town, village or service station shall be considered as within the said area.

(ii) The States of Oregon and Washington.

[Paragraph (11) added by Amendment 1, 7 F.R. 3749, effective 5-19-42]

(12) "Petroleum products" means motor fuel as defined in § 1340.90 (a) (2), kerosene, prime white distillate, Nos. 1 and 2 fuel oil and range oil, cleaner's or other naphthas, motor lubricating oil, and solvents, mineral spirits and all distillate fuel oils and other petroleum fractions when sold as anti-freeze preparations.

[Paragraph (12) as amended by Amendment 22, 8 F.R. 2152, effective 2-22-43]

(13) "Eastern seaboard" means the states of Connecticut, Delaware, Florida, east of the Apalachicola River, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and the District of Columbia.

(14) "Retail establishment" means the physical location of the store, shop, garage, service station, or other place of business in which petroleum products are sold at retail other than by delivery in tank wagon or larger lots.

[Paragraphs (13) and (14) added by Amendment 4, 7 F.R. 4853, effective 6-29-42]

(15) "Margin" means the difference between the selling price of the particular grade of motor fuel at the retail establishment and the delivered cost thereof to the retail establishment.

[Paragraph (15) added by Amendment 10, 7 F.R. 7902, effective 10-5-42]

(16) "Delivered cost" for the purposes of paragraphs (c) and (f) of § 1340.91 of this Maximum Price Regulation No. 137 shall consist of one of the following:

(i) In the case of tank wagon buyers, the net price charged to such buyer.

(ii) In the case of tank car or transport truck buyers who buy on a delivered basis, (a) the net laid-down cost at the point of buyer's central storage, and (b) the actual cost of transportation from the buyer's point of central storage to the buyer's retail establishment.

(iii) In the case of tank car or transport truck buyers who buy f. o. b. a shipping point, (a) the net f. o. b. shipping point price, (b) the actual cost of transportation to the point of buyer's central storage, and (c) the actual cost of transportation from the point of buyer's cen-

tral storage to the buyer's retail establishment.

(iv) In the case of a retail establishment operated by a supplier who is a refiner, the net tank wagon price charged by the supplier to undivided dealers in the tank wagon circuit in which the particular retail establishment is located.

[Paragraph (16) added by Amendment 10; amended by Amendment 14, 7 F.R. 11008, effective 12-1-42]

(b) Unless the context otherwise requires the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1340.91 Appendix A: Maximum prices for petroleum products sold at retail establishments. (a) The seller's maximum price for each grade of a petroleum product shall be:

(1) The highest price charged to a purchaser of the same class by a seller during March 1942 for each grade of a petroleum product.

(2) If seller did not sell a particular grade of a petroleum product at a retail establishment during March 1942, the highest price charged to a purchaser of the same class during March 1942 by the most closely competitive seller of the same class for a petroleum product of the same grade.

[Paragraph (a) as amended by Amendment 4, 7 F.R. 4853, effective 6-29-42]

(b) *Eastern seaboard.* In the Eastern seaboard, and within the corporate limits of Bristol, Tennessee, the maximum price of gasoline sold at service stations, determined under § 1340.91 (a) (1) and (2) may be increased by not more than 0.4 of a cent a gallon. In the Eastern seaboard the maximum price determined under § 1340.91 (a) (1) and (2) of kerosene, No. 1 fuel oil and range oil sold at retail establishments may be increased by not more than 1.4 cents a gallon and of Diesel fuel sold at retail establishments by not more than 1.1 cents a gallon.

[Paragraph (b) as amended by Amendment 8, 7 F.R. 6057, effective 8-5-42 and Amendment 28, 8 F.R. 3365, effective 3-17-43]

(c) *Alternative pricing methods.* A seller of motor fuel at a retail establishment may, at any time, choose his maximum price for any particular grade in either one of two ways:

(1) He may accept the maximum price as determined under the other provisions of § 1340.91.

(2) He may fix a maximum price at the particular retail establishment which will permit him a margin of 3 cents a gallon. His "margin" shall be computed as defined in § 1340.90 (a) (15).

A maximum price fixed upon the basis of a 3-cent margin will change automatically as the seller's margin is affected by changes in the delivered cost. When the delivered cost goes up thus reducing a seller's margin below 3 cents a gallon, then the maximum price will go up by the amount the margin is reduced below 3 cents. When the delivered cost goes down, then the maximum price will go down by the amount the

margin exceeds 3 cents a gallon, except that the seller does not have to reduce his maximum price below that provided for in other provisions of this § 1340.91. For the purposes of this provision, the margin is deemed to change not at the time the delivered cost changes, but only after the seller has sold an amount equal to that volume on hand at the time the change in the delivered cost occurs. Any seller who increases or decreases his price upon the basis of this 3-cent margin provision shall file a statement as provided in § 1340.86 (a) (3) and (4).

Illustration: A service station operator's maximum price on December 1 was 19 cents a gallon. On that date he received at his station a delivery by tank wagon of 500 gallons at a delivered cost of 16.5 cents a gallon. He had on hand 500 gallons. Prior thereto his delivered cost had been 15.5. After he has sold 500 gallons at a price no higher than 19 cents a gallon he may increase his price to 19.5 cents a gallon.

Assuming that he increases his price to 19.5 cents a gallon, the tank wagon price may later be reduced. Suppose that he has 400 gallons on hand on December 28, and that the tank wagon price is then reduced to 16.2 cents a gallon. After he sells 400 gallons, he is required to reduce his price to 19.2 cents a gallon or less.

[Paragraph (c) added by Amendment 1, 7 F.R. 3749, effective 5-19-42; amended by Amendment 14, 7 F.R. 11008, effective 12-1-42]

(d) *Montana.* Maximum prices as determined under § 1340.91 (a) (1) and (2) for service station operators within the Great Falls, Montana tank wagon area who reduced their prices on third grade and regular grade gasoline between February 25 and February 28, 1942, inclusive, are increased by the amount of such decrease but by not more than 1½ cents per gallon.

[Paragraph (d) added by Amendment 5, 7 F.R. 5363, effective 7-15-42]

(e) *Pennsylvania grade motor oils in the Pacific Coast Area.* (1) Maximum prices as determined under § 1340.91 (a) (1) and (2) for sellers at retail establishments of all S. A. E. grades of Pennsylvania grade motor oils marketed by The Pennzoil Company are increased to 35 cents a quart in any case where the maximum prices of such sellers under said § 1340.91 (a) (1) and (2) are below that amount.

(2) Maximum prices as determined under § 1340.91 (a) (1) and (2) for sellers at retail establishments of all S. A. E. grades of Pennsylvania grade motor oils marketed by Hyvis Oils, Inc., of California are increased to 35 cents a quart in any case where the maximum prices of such sellers under said § 1340.91 (a) (1) and (2) are below that amount.

(3) Maximum prices as determined under § 1340.91 (a) (1) and (2) for sellers at retail establishments of all S. A. E. grades of Pennsylvania grade motor oils marketed by Kern Oil Company, Limited are increased to 30 cents a quart in any case where the maximum prices of such sellers under said § 1340.91 (a) (1) and (2) are below that amount.

[Paragraph (e) added by Amendment 9, 7 F.R. 6896, effective 9-4-42]

(f) *Margins.* When the maximum price for any grade of motor fuel at a retail establishment as determined by paragraphs (a), (b), (c) and (d) permits the seller a margin for a particular grade of motor fuel below that enjoyed by the seller at that particular retail establishment during the major portion of the period October 1-15, 1941, such seller's maximum price shall be increased to a level which will permit him a margin equal to that enjoyed during the major portion of the above period. In no event, however, shall the seller exceed the price received by him for such grade of motor fuel during the major portion of the period October 1-15, 1941, plus the total of any increases authorized or permitted by the Price Administrator and currently in effect. The maximum price of a seller for a particular grade of motor fuel at the particular retail establishment shall be automatically adjustable as the seller's margin changes. For the purposes of this provision, the margin is deemed to change not at the time the delivered cost changes but only after the seller has sold an amount equal to that volume on hand at the time the change in the delivered cost occurs.

[Paragraph (f) added by Amendment 10, 7 F.R. 7902, effective 10-5-42; corrected 7 F.R. 8353, 10684]

(g) *Puerto Rico.* (1) In addition to the maximum price as determined by § 1340.91 (a) (1) and (2), sellers of gasoline at retail establishments in the Territory of Puerto Rico may charge from and after December 1, 1942, 3 cents per gallon inasmuch as the additional excise tax of 3 cents per gallon, which became effective on December 1, 1942, is not collectible, in addition to the maximum price, pursuant to § 1340.82 of this Maximum Price Regulation No. 137. This additional charge may not be collected from the United States Government, its agencies or instrumentalities when sold to them for their exclusive use.

(2) In addition to the maximum price as determined by § 1340.91 (a) (1) and (2) sellers of petroleum products at retail establishments in the Territory of Puerto Rico may charge, from and after March 5, 1943, to a purchaser included in subsection 4, entitled "Other Excises * * *", of Act 25 enacted by the Legislature of Puerto Rico and approved December 4, 1942, the amount of the 3% tax therein imposed and 3½¢ per gallon to cover the tax increase on lubricating oil imposed by such Act, except that the total amount charged on each lot shall be adjusted to the nearest cent.

[Paragraph (2) added by Amendment 13, 7 F.R. 10684, effective 12-1-42 and amended by Amendment 26, 8 F.R. 3105, effective 3-11-43 and Amendment 33, 8 F.R. 6120, effective 5-10-43]

(h) *Increase of 0.3 of a cent on fuels.* Notwithstanding the provisions of other paragraphs of this section, the maximum prices for kerosene, range oil, prime white distillate No. 1 or Pacific Specification No. 100 fuel oil, No. 2 fuel oil, and Diesel fuel oil for sellers at retail

establishments in the States of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Idaho (but only in the Counties of Adah, Adams, Benewah, Boise, Bonner, Boundary, Canyon, Clearwater, Elmore, Gem, Kootenai, Idaho, Latah, Lewis, Nez Perce, Owyhee, Payette, Shoshone, Valley, and Washington), Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Vermont, Virginia, Washington, West Virginia, Wisconsin and in the District of Columbia shall be 0.3 of a cent per gallon above the maximum prices in the above states and the District of Columbia as determined under any provision of this maximum price regulation which would otherwise govern, except that the total amount charged on each lot sold shall be adjusted to the nearest cent.

[Paragraph (h) added by Amendment 15, 7 F.R. 11112, effective 12-29-42 and amended by Amendment 22, 8 F.R. 2152, Amendment 27, 8 F.R. 3327 and Amendment 31, 8 F.R. 4335, effective 4-2-43]

(i) *Boston, Mass.* In the Metropolitan Boston, Massachusetts Area comprising the following towns and cities: Arlington, Belmont, Boston, Braintree, Brookline, Cambridge, Canton, Chelsea, Cohasset, Dedham, Dover, Everett, Hingham, Lexington, Lynn, Malden, Medford, Melrose, Milton, Nahant, Needham, Newton, Quincy, Reading (but not North Reading), Revere, Saugus, Somerville, Stoneham, Swampscott, Wakefield, Waltham, Watertown, Wellesley, Weston, Westwood, Weymouth, Weston, Winthrop and Woburn, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 12.3 cents a gallon.

[Paragraph (i) added by Amendment 16, 7 F.R. 11075, effective 12-29-42 and amended by Amendment 28, 8 F.R. 3365, effective 3-17-43]

(j) *Quincy, Ill.* In Quincy, Illinois, the maximum prices of regular and premium grade gasoline sold at retail establishments determined under § 1340.91 (a) (1) and (2) may be increased by not more than 1.5 cents a gallon.

[Paragraph (j) added by Amendment 17, 8 F.R. 231, effective 1-9-43]

(k) *New York, N. Y.* Within the corporate limits of New York City, New York, the maximum prices for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil, also known as stove oil, shall be 14.0 cents per gallon.

[Paragraph (k) added by Amendment No. 18, 8 F.R. 232, effective 1-4-43, and amended by Amendment 28, 8 F.R. 3365, effective 3-17-43]

(l) *Anti-freeze preparations.* The maximum price at a retail establishment for naphthas, solvents, mineral spirits, kerosene, No. 1 fuel oil or heavier distillate fuel oil when sold as anti-freeze preparations shall be the sum of the delivered cost per gallon thereof at the

retail establishment and 3¢ per gallon. The maximum price for the particular product at the particular retail establishment shall be automatically adjustable as the delivered cost thereof at the particular retail establishment changes. For the purposes of this paragraph (l) the delivered cost shall be deemed to change only after the seller has sold an amount equal to the volume on hand at the time the change in the delivered cost occurs.

(2) In connection with each sale at a retail establishment of naphthas, solvents, mineral spirits, kerosene, No. 1 fuel oil or heavier distillate fuel oil as an anti-freeze preparation, the seller shall notify the purchaser that the anti-freeze preparation is a petroleum fraction describing it by reference to type such as naphtha type or kerosene type and that the preparation may cause overheating and rubber deterioration.

[Paragraph (1) added by Amendment 19, 8 F.R. 1226, effective 2-1-43. Corrected 8 F.R. 1586]

(m) *Increase in dealers cost.* (1) If the maximum tank wagon price of a particular petroleum product to a retail dealer is increased pursuant to § 1340.159 (b) (11) of Revised Price Schedule No. 88 or if such maximum price is increased pursuant to any amendment to Revised Price Schedule No. 88 adopted after February 13, 1943, such retail dealer's maximum price for such petroleum product shall be increased by the same amount.

[Above paragraph added as (m) by Amendment 20, 8 F.R. 1799, effective 2-13-43. Designated (m) (1) by Amendment 35, 8 F.R. 8185, effective 6-19-43]

(2) If a retail dealer is not a tank wagon buyer of gasoline, kerosene, range or stove oil, distillate fuel oils, tractor and diesel fuel at a particular retail establishment, and, therefore, is unable to take advantage of increases permitted by certain tank wagon buyers under the preceding paragraph, then such retail dealer's maximum prices for such petroleum products at his retail establishment shall be the sum of his maximum prices prior to June 19, 1943, and an amount equal to the difference between his delivered cost on such date and the maximum tank wagon price of the reference seller at that point as defined by § 1340.159 (b) (11) (i) of Revised Price Schedule No. 88.

Illustration: 1. A service station operator who operates a central storage bulk plant from which he supplies only his own service stations, and who makes no tank wagon sales to other service stations, has a maximum retail price for gasoline at his service station of 18¢ per gallon and his delivered cost of gasoline at that station is 15¢ whereas the tank wagon price of gasoline of the reference seller at that point is 16¢, the service station operator may increase his retail price 1¢ per gallon to 19¢ or the amount of the difference between his laid-down cost (15¢) and the reference seller's tank wagon price (16¢) at that point.

2. A service station operator who operates his own bulk plant and makes tank wagon sales to other service stations, has a maximum retail price at his station of 19¢ per gallon and his delivered cost at that station

is 15¢. His tank wagon price to other service stations is 16¢ and the reference seller's tank wagon price is also 16¢. In this case the maximum price at his station may be increased 1¢ per gallon to 20¢, the difference between his delivered cost (15¢) and the reference seller's tank wagon price (16¢) at that point.

3. A service station operator purchases gasoline by tank car for direct delivery into his service station tanks, and his maximum retail price is 16¢ per gallon. His delivered cost is 10¢ per gallon, whereas the reference seller's tank wagon price is 14¢ per gallon at that point. The operator may increase his maximum price by 4¢, to 20¢ per gallon, the 4¢ being the difference between his delivered cost (10¢) and the reference seller's tank wagon price (14¢) at that point.

[Paragraph (2) added by Amendment 35, 8 F.R. 8185, effective 6-19-43]

(n) [Designation not used.]

(o) *Michigan.* Within the counties of Genesee, Macomb, Washtenaw, Monroe, Oakland and Wayne in the State of Michigan the maximum prices for sellers at retail establishments of kerosene, prime white distillate, Nos. 1 and 2 fuel oil and range oil, also known as stove oil or heater oil, shall be as follows:

	Cents per gallon
In the case of kerosene	14.2
In the case of range oil, also known as stove oil or heater oil	11.2
In the case of prime white distillate and Nos. 1 and 2 fuel oil	10.7

[Paragraph (o) added by Amendment 22, 8 F.R. 2152, effective 2-22-43]

(p) *Bridgeport, Conn. Area.* In the Bridgeport, Connecticut Area, comprising the townships and cities of Bridgeport, Easton, Fairfield, Monroe, Stratford, Trumbull, Weston and Westport, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 12.5 cents per gallon.

(q) *New Haven, Conn. Area.* In the New Haven, Connecticut Area, comprising the townships and cities of Bethany, Branford, East Haven, Hamden, Milford, North Branford, North Haven, New Haven, Orange, West Haven and Woodbridge, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 12.5 cents per gallon.

(r) *Hartford, Conn. Area.* In the Hartford, Connecticut Area, comprising the townships and cities of Bloomfield, East Hartford, Glastonbury, Hartford, Newington, Wethersfield, Windsor, Windsor Locks, East Windsor, South Windsor and West Hartford, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 12.7 cents per gallon.

[Paragraph (r) as amended by Amendment 29, 8 F.R. 4092, effective 4-5-43]

(s) *Danbury, Conn. Area.* In the Danbury, Connecticut Area, comprising the following townships and cities in the State of Connecticut: Bethel, Bridgewater, Brookfield, Danbury, Redding, Ridgefield, New Fairfield, New Milford, Newtown and Sherman; and the following townships and cities in the State of New York: Brewster, Patterson, and Pawling, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil

and range oil shall be 13.0 cents per gallon.

[Paragraphs (p), (q), (r), and (s) added by Amendment 23, 8 F.R. 2120, 2997, effective 2-15-43 and amended by Amendment 28, 8 F.R. 3365, effective 3-17-43]

(t) (1) *Baltimore, Maryland.* Within the corporate limits of the City of Baltimore, Maryland the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 13.0 cents per gallon.

(2) *Washington, D. C.* Within the Washington, D. C. tank wagon area the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 14.5 cents per gallon.

[Paragraph (t) added by Amendment 25, 8 F.R. 2594, effective 2-26-43 and amended by Amendment 28, 8 F.R. 3365, effective 3-17-43]

(u) *Puerto Rico.* Maximum prices of kerosene at retail establishments in Puerto Rico shall be 18¢ per gallon, except that when a quantity of less than one gallon is sold the maximum price shall be 5¢ per quart.

[Paragraph (u) added by Amendment 32, 8 F.R. 5588, effective 5-3-43]

(v) *Waterbury, Conn. Area.* In the Waterbury, Connecticut Area comprising the towns and cities of Waterbury, Naugatuck, Middlebury, Woodbury, Watertown, Wolcott, Prospect, and Cheshire, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 12.7 cents per gallon.

(w) *Greenwich-Norwalk, Conn. Area.* In the Greenwich-Norwalk, Connecticut Area comprising the towns and cities of Darien, Greenwich, New Canaan, Norwalk, Stamford, Stamford City and Wilton, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 12.7 cents per gallon.

(x) *Conway, N. H. Area.* In the Conway, New Hampshire Area comprising the towns and cities of Albany, Bartlett, Chatham, Conway, Eaton, Hale's Location, Jackson, Madison and Tamworth, the maximum price for sellers at retail establishments of kerosene, No. 1 fuel oil and range oil shall be 14.2 cents per gallon.

[Paragraph (v), (w) and (x) added by Amendment 34, 8 F.R. 7350, effective 6-5-43]

§ 1340.92 *Applicability.* The provisions of this Maximum Price Regulation No. 137 shall be applicable to the United States, its territories and possessions and the District of Columbia.

§ 1340.93 *Effective date.* All of the provisions of this Maximum Price Regulation No. 137 (§§ 1340.81 to 1340.93 incl.) shall become effective on May 18, 1942.

[Issued April 28, 1942]

§ 1340.93a *Effective dates of amendments.*

[Effective dates of Amendments are shown in notes following the parts affected]

§ 1340.94 *Applicability of the General Maximum Price Regulation.* Except as otherwise specifically provided in Maximum Price Regulation No. 137, all of the provisions of the General Maximum Price Regulation other than §§ 1499.2 and 1499.3 thereof, govern the sale of petroleum products at retail establishments other than service stations.

§ 1340.95 *Transfer or changes in operators of service stations.* If the service station or service station lease is sold or transferred, or if the operator of the service station is changed after April 1, 1942 and the transferee or new operator continues to sell petroleum products at the service station not previously owned or operated by him, the maximum prices of the transferee or new operator shall be the maximum prices which the transferor or previous operator would have been subject to if no such change had taken place, and his obligations to keep records sufficient to verify such prices shall be the same insofar as possible. The transferor in the case of a transfer taking place after June 28, 1942 shall either preserve and make available or turn over to the transferee all records of sale prior to the transfer which are necessary to enable the transferee to comply with the record and statement provisions of this Regulation.

[§§ 1340.94 and 1340.95 added by Amendment 4, 7 F.R. 4853, effective 6-29-42]

Issued this 28th day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14181; Filed, August 30, 1943;
3:11 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53, Amendment 5]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 53 is amended in the following respects:

1. Section 7.1 (a) (2) is amended to read as follows:

(2) *Crushers' container and quantity differentials—(i) Returnable drums, car-logs.* The maximum delivered prices of the above linseed oil products delivered by crushers in Zone 1, in returnable drums, car-log quantities, shall be the prices set forth above, plus 4¢ per pound.

(ii) *Returnable drums in less than car-log quantities—(a) Delivered by crushers in city in which seller has a warehouse.* The maximum delivered prices of the above linseed oil products delivered by crushers, in returnable drums in less than carlot quantities, in Zone 1 within the

*Copies may be obtained from the Office of Price Administration.

corporate limits of a city in which the seller has a warehouse, shall be the prices set forth in section 7.1 (a) above, plus the differentials hereinafter set forth for the particular quantity sold:

Differential to be added
to specified prices
(Cents per pound)

Quantity sold (returnable drums):	
Carlots, in more than one delivery	
of 10 drums each	0.6
5 to 9 drums, one delivery	1.0
1 to 4 drums, one delivery	1.4

(b) *Delivered by crushers outside city in which seller has a warehouse.* The maximum delivered prices of the above linseed oil products, delivered by crushers, in returnable drums in less than carlot quantities, in Zone 1 outside of the corporate limits of the city in which the seller's nearest warehouse is located, shall be the maximum prices provided in the preceding subparagraph hereof (section 7.1 (a) (2) (ii) (a)), plus the actual cost of transporting said linseed oil products from the seller's nearest warehouse to the buyer.

(iii) *Other containers.* When linseed oil products are sold by crushers in containers other than tank cars or returnable drums, the maximum delivered prices for such oil products in such other containers, delivered in Zone 1, shall be the tank car price specified above, plus the usual or normal differential for the type of container in which the oil is sold.

(iv) *Other quantities.* When linseed oil products are sold by crushers in quantities other than those listed in section 7.1 (a) (2) above, the usual or normal differential for the particular quantity sold shall continue to apply.

2. A new section 7.1 (a) (3) is added to read as follows:

(3) *Container and quantity differentials for sellers who are not crushers.* The maximum delivered prices of the above linseed oil products sold by sellers who are not crushers, shall be the tank car prices set forth above, plus the seller's usual and normal differential for such linseed oil products when delivered in the container and quantity that is being delivered. In and only in those cases where sellers who are not crushers customarily sold or an f. o. b. basis, there may also be added the actual cost of delivery to the buyer.

3. Section 7.1 (b) (3) is amended to read as follows:

(3) In those cases, and only those cases, where such linseed oil products are being delivered by crushers, in returnable drums in less than carlot quantities, within the corporate limits of the cities of Los Angeles, Calif., San Francisco, Calif., Portland, Ore., Seattle, Wash., and Spokane, Wash., add the actual cost of transporting such linseed oil product from the seller's nearest warehouse to the buyer.

The total thus arrived at shall be the seller's maximum delivered price at the place where delivery actually is made.

4. There is added at the end of section 7.1 (d) (3) the words "and in the District of Columbia."

This amendment shall become effective September 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; and Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14182; Filed, August 30, 1943; 3:07 p. m.]

Sched. No.	Name	Item No.	Style of processing	Size	Base price per pound
54	Shrimp and prawn 1	8	Peeled	12 to 17 count	.45
		9	Peeled and veined	12 to 17 count	.49½
		10	Peeled	18 to 24 count	.39
		11	Peeled and veined	18 to 24 count	.43
		12	Peeled	25 to 30 count	.34
		13	Peeled and veined	25 to 30 count	.37½
		14	Peeled	31 to 36 count	.30½
		15	Peeled and veined	31 to 36 count	.34
		16	Peeled	37 to 50 count	.28
		17	Peeled and veined	37 to 50 count	.31½
		18	Peeled	51 to 78 count	.26½
		19	Peeled and veined	51 to 78 count	.29½
		20	Peeled	79 and over	.24½
		21	Peeled and veined	79 and over	.27½

2. Footnote 1 is added at the end of the table of prices in section 14 to read as follows:

The maximum prices listed for this seafood apply only when packed in 5 lb. and 10 lb. boxes. When packed in 12 oz. or 1 lb. packages add 1 1/4¢ per lb. to the listed prices.

This amendment shall become effective September 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; and Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14183; Filed, August 30, 1943; 3:08 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,¹ Amdt. 72]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

1. In § 1394.7904 (a) the proviso at the end of the first sentence is amended by

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1813, 1895, 2098, 2213, 2288, 2353, 2431, 2595, 2780, 2720, 3096, 3261, 3253, 3255, 3254, 3316, 3616, 4189, 4341, 4850, 4976, 5267, 5268, 5468, 5486, 5564, 5756, 6261, 6179, 6441, 6846, 6687, 7390, 7455, 8009, 8180, 8680, 9021, 9022, 8980, 9062, 9202, 9304, 9334, 9219, 9787, 9457, 9530, 10082, 10364, 10365, 10511, 11429.

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 364,¹ Amdt. 4]

FROZEN FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 364 is amended in the following respects:

1. In section 14, Schedule No. 54, Shrimp and prawn, is amended by adding Item Nos. 8 to 21 inclusive to read as follows:

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 3,¹ Amdt. 82]

SUGAR RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Rationing Order No. 3 is amended in the following respect:

Section 1407.105 (e) is amended by deleting the date "August 31, 1943" wherever it appears therein and inserting in place thereof the date "September 30, 1943."

This amendment shall become effective August 30, 1943.

(Pub. Law 421, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005)

Issued this 30th day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14187; Filed, August 30, 1943; 3:10 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 455, Amdt. 1]

CABBAGE SEED

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 3 is amended to read as follows:

Sec. 3. *Applicability.* This regulation shall apply to all sales, whether for immediate or future delivery, within the 48 States and the District of Columbia of the United States, of domestic and imported cabbage seed.

This amendment shall become effective September 4, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14189; Filed, August 30, 1943; 3:09 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165 as Amended,¹ Amdt. 28]

SERVICES

A statement of the considerations involved in the issuance of this amend-

¹ 8 F.R. 5909, 5846, 6135, 6442, 6626, 6961, 7351, 7380, 8010, 8189, 8678, 8811, 9304, 9458, 10304, 10512, 10937, 11383, 11291, 11252.

² 7 F.R. 6428, 6966, 8239, 8431, 8793, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10557, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 5755, 5933, 6364, 8506, 8873, 10671, 10939.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register."

Maximum Price Regulation No. 165 is amended to read as follows:

1. Section 1499.101 (c) (13), (15), (17), (43), (60), and (61) are amended and two new subparagraphs (67) and (68) are added to such section to read as follows:

(13) Carpets, linoleum, rugs or other floor covering—binding, cleaning, cutting, fitting, laying, maintenance, piece dyeing, rental, repair, sewing, stitching, washing, and storage by persons other than those operating general commercial storage warehouses (except by a seller of such commodities in connection with the sale thereof).

(15) Clothing, garments, finished or manufactured articles made of textiles or leather, household fabrics (including but not limited to coats, corsets, curtains, draperies, dresses, gloves, hats, hosiery, millinery, slip covers, suits, or uniforms)—alteration, blocking, cleaning, dyeing, mending, moth-proofing, pressing, remodeling, rental, repair, waterproofing, and storage by persons other than those operating general commercial storage warehouses (including but not limited to locker club and valet service), and the making of draperies and slip covers on a custom basis by a person other than the seller of the fabric, but not including services performed by the seller of such commodities in connection with the sale thereof.

(17) Services rendered in connection with the negotiation of the purchase and sale of commodities (including but not limited to commission purchasing, commission selling, auctioneering and brokerage).

(43) Photography services as follows: copying, developing, enlarging, exposing, printing, or taking of all still camera films and plates; color and monochrome printing from color transparencies; mounting, retouching, tinting, or toning of films and prints; vaporating or other preservative treatment of films; photo-stating, blueprinting and microfilming; repairs or services to or rentals of photographic equipment.

(60) Transportation equipment—servicing of transportation equipment and of merchandise for shipment (including but not limited to cleaning, heating, icing, pre-cooling, or ventilating but not including mechanical repairs, remodeling or rebuilding), unless performed by common carriers in their capacity as such.

(61) Weighing of foods or other commodities.

(67) Laboratory services other than research services.

(68) Pasteurization and bottling of fluid milk and fluid cream, and services incidental thereto.

2. In § 1499.101 (c) (28) the word "original" is deleted.

This amendment shall become effective September 4, 1943.

*Copies may be obtained from the Office of Price Administration.

(Pub. Laws 429 and 721, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14190; Filed, August 30, 1943;
3:08 p. m.]

PART 1300—PROCEDURE

[Procedural Reg. 6, Amdt. 4]

PROCEDURE FOR THE ADJUSTMENT OF MAXIMUM PRICES FOR COMMODITIES OR SERVICES UNDER GOVERNMENT CONTRACTS OR SUB-CONTRACTS

Section 1300.412, Appendix A, Form OPA-612:205, is amended to read as follows:

Form OPA-612:205

Form Approved
Budget Bureau No.
08-R244.1

UNITED STATES OF AMERICA

OFFICE OF PRICE ADMINISTRATION

WASHINGTON, D. C.

Application for adjustment of maximum prices for commodities or services under government contracts or subcontracts

NOTES: (1) Unless otherwise indicated, "commodity" refers to a particular size and specification.

(2) If the application covers, subject to the approval of the Office of Price Administration, a group of related commodities or services, the answers to questions must be in sufficient detail and in appropriate form to provide an adequate factual basis for appraising the application.

(3) If the application is made with respect to a commodity or service (or commodities or services) which is or will be subject to several contracts, submit, on extra sheets, answers to questions I-2a, I-2b and I-2c for each contract.

(4) The term "contract" includes purchase orders, letters of intent, or other arrangements not yet completed; where appropriate, the terms "commodity or service" includes commodities or services and "price" includes prices.

(5) One original and two copies of the form and of all supplementary statements, must be filed.

hereby makes

(Applicant)

application to the Office of Price Administration, pursuant to Procedural Regulation No. 6, for the adjustment of the maximum price established for the particular commodity or service described below, which is or will be the subject of Government contracts or subcontracts.

The following facts are furnished to the OPA in support of this application:

Name of company _____

Address _____

(Street) (City) (State)

I. Description of commodity or service and contract on which adjustment is sought:

1. Brief description of commodity or service (indicate unit of measure):

2. (a) Serial number or other identification of contract, giving name and address of purchaser or prospective purchaser:

1. Identification of Contract _____

2. Name of Purchaser _____

17 F.R. 5087, 5664; 8 F.R. 6173, 6174.

8. Address of Purchaser _____
(Street) (City) (State)

(b) If price adjustment is sought with respect to deliveries under existing contracts, submit:

1. Date of contract _____

2. Estimated date of completion _____

3. Total quantity of commodity or service contracted for _____

4. Total quantity of commodity or service remaining to be delivered or supplied _____

(c) If price adjustment is sought for a proposed contract submit:

1. Final delivery date to be stipulated by proposed contract _____

2. Estimated date at which deliveries will begin _____

3. Total quantity of commodity or service contracted for _____

4. Value of contract (Proposed unit price times quantity) _____

(d) If contract is a subcontract, submit serial number or other identification of prime contract whether or not there are intermediate subcontracts

3. Established maximum price per unit, pursuant to Maximum Price Regulation No. _____

(Indicate unit)

4. Requested unit price _____

5. Give names and addresses of the plants of the applicant in which the commodity or service is being or will be produced or supplied _____

II. Importance of commodity or service in company's operations:

	Sales of particular commodity or service involved	Total company sales
	Units	Dollars
1. Actual sales for 1942	_____	_____
2. Actual sales Jan. 1, 1943 to _____, 1943 (Present date)	_____	_____
3. Estimated sales Jan. 1, 1943 to Dec. 31, 1943, assuming price adjustment requested is granted for the particular commodity or service involved	_____	_____

III. Unit cost of commodity or service:

General instructions. Give actual cost data, if available. If no actual cost figures are available, give careful estimates. Indicate, however, by enclosing the appropriate figures where estimates are being submitted. Both actual and estimated cost figures must be based upon the total sales of the particular commodity or service involved and not merely upon sales under the particular contract involved. In no circumstances are Income Taxes and Excess profits Taxes to be included as costs.

1. Direct materials. In computing cost of direct materials use costs as shown on your books. If material cost is estimated, use the same method by which your books are kept. Material cost must represent actual cost; state separately any charges added to costs of materials.

2. Direct labor. State cost of direct or production labor following the classifications in your own records. For each classification, use actual wages of men employed on the job; or, if this is not practicable, base cost on departmental or shop average wage rates for each classification.

3. Other manufacturing costs, selling expenses, and other expenses. These costs should be stated in accordance with the method of allocation established in your company. Explain on a separate sheet in triplicate, attached to this form, the items included under these headings and the basis of allocation of such items of cost to the commodity or service involved. If standard costs are used, adjust these costs for over- or under-absorption during the period to which the costs apply.

	Costs as of the Base Date of the Applicable Price Regulation*	Current Costs
1. Direct materials.		
2. Direct labor.		
3. Other manufacturing costs.		
4. Selling and advertising expenses.		
5. Other expenses		
6. Total cost		
7. Number of units on which cost computation is based		

*If the applicable price regulation has no base date, this column need not be filled in.

Any substantial changes in the above listed cost components should be explained carefully in triplicate on attached sheets.

IV. State whether the applicant has entered into, or will enter into, a government contract or subcontract, or will make deliveries, at the requested unit price—pursuant to Procedural Regulation No. 6—pending final action by the Office of Price Administration

Yes ()
No ()

V. Submit the following:

A. Balance Sheets as of the close of:
1. 1936 through 1942 (fiscal or calendar years).
2. Most recent accounting period.
B. Income statements for:
1. 1936 through 1942 (fiscal or calendar years).
2. Most recent accounting period.

Instructions: (1) Income statements must show: (a) net sales, (b) cost of commodities and/or services sold, stating separately, total direct labor costs, total direct material costs, and total other manufacturing costs, (c) general and administrative expenses, segregating compensation to officers and directors, and (d) net profits before income and excess profits taxes. All charges to operations representing accumulations of reserves must be shown in detail on the statements.

(2) The applicant need not file with the application any required financial data (a) which were previously submitted on Form A—Annual Financial Report—or Form B—Interim Financial Report—issued by the Office of Price Administration, or (b) which, for the years 1936 through 1941, can be obtained by the Office of Price Administration directly from the Bureau of Internal Revenue. Consideration of the application will be expedited, however, if such data are filed with the application.

Applicant
By _____
Title _____

This amendment shall become effective September 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 31st day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14235; Filed, August 31, 1943; 12:00 m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS
[MPR 418, Amdt. 5,¹ Correction]

FRESH FISH AND SEAFOOD

In amendment No. 5 to Maximum Price Regulation No. 418 the designation "Sec. 2 (c)" is corrected to read "Sec. 2 (d)".
(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14230; Filed, August 31, 1943; 11:58 a. m.]

PART 1388—DEFENSE-RENTAL AREAS
[Rent Reg. for Housing,² Amdt. 5]

COUNTIES IN ILLINOIS AND IOWA

Schedule A of Rent Regulation for Housing is amended in the following respects:
Item 114a (Ottumwa) is added and item 92 (Rockford) is amended to read as follows:

Name of defense-rental area	State	County or counties in defense-rental area under rent regulation for housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(92) Rockford.....	Illinois.....	Boone and Winnebago.	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(114a) Ottumwa.....	Illinois Iowa.....	De Kalb..... Wapello.....	Mar. 1, 1942 Mar. 1, 1942	Sept. 1, 1943 Sept. 1, 1943	Oct. 15, 1943 Oct. 15, 1943

This amendment shall become effective September 1, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.
(Pub. Laws 421 and 729, 77th Cong.)

Issued this 30th day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14198; Filed, August 30, 1943; 4:58 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

COUNTIES IN ILLINOIS AND IOWA

[Rent Regulation for Hotels and Rooming Houses,³ Amdt. 4]

Schedule A of Rent Regulation for Hotels and Rooming Houses is amended in the following respects:

Item 114a (Ottumwa) is added and item 92 (Rockford) is amended to read as follows:

Name of defense-rental area	State	County or counties in defense-rental area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(92) Rockford.....	Illinois.....	Boone and Winnebago.	March 1, 1942	July 1, 1942	Aug. 15, 1942
(114a) Ottumwa.....	Illinois Iowa.....	De Kalb..... Wapello.....	March 1, 1942 March 1, 1942	Sept. 1, 1943 Sept. 1, 1943	Oct. 15, 1943 Oct. 15, 1943

This amendment shall become effective September 1, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.
(Pub. Laws 421 and 729, 77th Cong.)

Issued this 30th day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14199; Filed, August 30, 1943; 4:59 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,⁴ Amdt. 57, Correction]

MILEAGE RATIONING: GASOLINE REGULATIONS

The designation subparagraph (6) in § 1394.8206b (a) is corrected to read subparagraph (7) in § 1394.8206b (a).

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir., No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 31st day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14229; Filed, August 31, 1943; 11:58 a. m.]

¹ 8 F.R. 11687. ² 8 F.R. 7322, 9020, 9021, 10741. ³ 8 F.R. 7334, 9019, 10618, 10739.

⁴ 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1813, 1895, 2098, 2213, 2288, 2353, 2431, 2595, 2780, 2720, 3096, 3251, 3253, 3255, 3254, 3315, 3616, 4189, 4341, 4850, 4976, 5267, 5268, 5486, 5564, 5756, 6261, 6179, 6441, 6846, 6687, 7390, 7455, 8009, 8180, 8680, 9021, 9022, 8980, 9062, 9202, 9304, 9334, 9219, 9787, 9457, 9531, 9531, 10082, 10364, 10365, 10511, 11429.

PART 1404—RATIONING OF FOOTWEAR

[RO 17,¹ Amdt. 33]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. Section 2.11 (a) (5) is added to read as follows:

(5) Unassembled moccasins or moccasin kits made for use in handicraft activities, if shipped from the factory before August 31, 1943.

This amendment shall become effective August 31, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Directive 1, 7 F.R. 562, Supplementary Directive 1-T, 8 F.R. 1727; E.O. 9125, 7 F.R. 2719)

Issued this 31st day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14236; Filed, August 31, 1943;
12:00 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 3,² Amdt. 81]

SUGAR RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1407.73 (a) is amended by inserting between the second and third sentences thereof the following sentence:

The applicant may apply by mail or in person.

This amendment shall become effective September 4, 1943.

(Pub. Law 421, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005)

Issued this 31st day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14228; Filed, August 31, 1943;
11:58 a. m.]

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 1749, 2040, 2487, 2943, 3315, 3371, 3853, 4129, 3943, 4716, 5589, 5678, 5679, 5567, 5756, 6046, 6687, 7189, 7261, 8061, 8357, 8601, 9062, 9423, 9567, 9884, 10269, 10762.

² 8 F.R. 5909, 5846, 6135, 6442, 6626, 6961, 7351, 7380, 8010, 8189, 8678, 8811, 9304, 9458, 10304, 10512, 10937, 11382, 11291, 11292, 11252.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,¹ Amdt. 59]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The first and second sentences of section 25.1 (m) are amended to read as follows:

Upon expiration of a certificate issued under section 25.1 (c) as it read prior to July 1, 1943, or of any yellow punch card, or after the full number of points provided by such certificate or card have been used by the applicant or members of his family unit to acquire processed foods, the board (or Customs Officer) shall issue a yellow punch card for a subsequent period, but only if the applicant returns the expired duplicate certificate or card to it. The applicant shall, not later than five days after the expiration of any certificate or yellow punch card issued to him, return the duplicate of the certificate, or the card, to the board (or Customs Officer), either in person or by mail.

This amendment shall become effective September 4, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 31st day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14234; Filed, August 31, 1943;
11:59 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,² Amdt. 18 to Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (c) (7) is added to read as follows:

(7) For the reporting period beginning October 3, 1943 and ending October 30, 1943—6.

This amendment shall become effective September 4, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280,

¹ 8 F.R. 1840, 2288, 2681, 2694, 2943, 3179, 3949, 4342, 4525, 4726, 4784, 4921, 5318, 5342, 5480, 5568, 5757, 5758, 5818, 5819, 5847, 6046, 6137, 6138, 6181, 6838, 6839, 7353, 7490, 7589, 8357, 8705, 9012, 9024, 9216, 9305, 9459, 9629, 10511, 10665, 11383.

² 8 F.R. 1840, 3949, 4892, 5318, 5341, 5757, 6138, 6964, 7589, 8069, 8705, 9024, 9012, 9216, 9305, 9459, 9628, 10511, 10665, 11383.

7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 31st day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14231; Filed, August 31, 1943;
11:58 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 76 of SR 15 to GMPR, Amdt. 1]

MOLITERNO BROTHERS, INC.

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1499.1376 (a) is amended to read as follows:

(a) Moliterno Brothers, Inc., of New York, New York, may sell and deliver contract carrier services to National Gypsum Company on and after May 27, 1943, at rates not to exceed those set forth in the schedules of rates annexed to its application for adjustment and identified as Supplement No. 5 to PSC-NY-MT No. 1 and Supplement No. 1 to MF-ICC No. 5, both issued April 14, 1943 and effective May 27, 1943.

This amendment shall become effective May 27, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 31st day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14233; Filed, August 31, 1943;
11:59 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 77 of SR 15 to GMPR, Amdt. 1]

GEROSA HAULAGE AND WAREHOUSE CORPORATION

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1499.1377 (a) is amended to read as follows:

(a) Gerosa Haulage and Warehouse Corporation of New York, New York, may sell and deliver contract carrier services to National Gypsum Company on and after May 27, 1943, at rates not to exceed those set forth in the schedules of rates annexed to its application for adjustment and identified as Supplement No. 5 to PSC-NY-MT No. 1 and Supplements Nos. 1, 2 and 3 to MF-ICC No. 6, both to become effective May 27, 1943.

This amendment shall become effective May 27, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 31st day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14232; Filed, August 31, 1943;
11:59 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 2—ADJUDICATION: VETERANS CLAIMS NURSE OR ATTENDANT OR REGULAR AID AND ATTENDANCE

§ 2.1176 *Determination of need for nurse or attendant or regular aid and attendance under Public No. 141, 73d Congress, § 35.01, Public No. 2, 73d Congress and the laws reenacted by Public No. 269, 74th Congress, as amended.* (a) The following will be accorded consideration in determining the need for nurse or attendant or regular aid and attendance: inability of claimant to dress or undress himself, or to keep himself ordinarily clean and presentable; frequent need of adjustment of any special prosthetic or orthopedic appliances which by reason of the particular disability cannot be done without aid (this will not include the adjustment of appliances which normal persons would be unable to adjust without aid, such as supports, belts, lacing at the back, etc.); inability of the claimant to feed himself through loss of coordination of upper extremities or through extreme weakness; inability to attend to the wants of nature; or incapacity, physical or mental, of the claimant to protect himself from hazards or dangers incident to his daily environment. "Total blindness" as defined by the schedules, as well as "bedridden", will be a proper basis for the determination. For the purpose of this paragraph "bedridden" will be that condition which through its essential character, actually requires that the claimant remain in bed. The fact that claimant has voluntarily taken to bed or that a physician has prescribed rest in bed for the greater or lesser part of the day to promote convalescence or cure will not suffice.

(b) Determinations that the veteran is so helpless, solely by reason of service connected compensable or pensionable diseases or injuries as to Public Nos. 2 and 141, 73d Congress, or without regard to service connection under the laws reenacted by Public No. 269, 74th Congress, as amended, as to be in need of a nurse or attendant or regular aid and attendance will not be based solely upon an opinion that the claimant's condition is such as would require him to be in bed. They must be based on the actual requirement of personal assistance from others. If the claimant is able to be out of bed and can walk around entirely unassisted by others he cannot generally be regarded as meeting the requirements of the law and regulations; however, the other enumerated types of personal assistance must be considered.

(c) The above contemplates a person totally disabled and in need of a nurse or attendant, under the World War Veterans' Act, 1924, as amended, as reenacted by Public No. 141, 73d Congress, or regular aid and attendance, under § 35.01 or the laws reenacted by Public No. 269, 74th Congress, as amended. The rates for regular aid and attendance in § 35.01 or laws reenacted by Public No. 269, 74th Congress, as amended, are not to be added to any other rate provided therein. (September 7, 1943)

(Pub. Law 144, 78th Cong.)

[SEAL] FRANK T. HINES,
Administrator.

[F. R. Doc. 43-14191; Filed, August 30, 1943;
4:10 p. m.]

PART 10—INSURANCE

REINSTATEMENT; HEALTH REQUIREMENTS

§ 10.3423 *Health requirements.* National Service Life Insurance may be reinstated if application and tender of premiums are made:

(a) While the insured is in the active service: *Provided*, Applicant be in as good health on the date of application and tender of premiums as he was on the due date of the premium in default and furnishes evidence thereof satisfactory to the Administrator of Veterans Affairs. If application and tender of premiums are made within six months after the date of separation from active service or within six months after the effective date of the regulation, as hereby amended, insurance may be reinstated subject to the conditions herein prescribed for reinstatement by persons in the active service: *Provided*, That when the insured makes inquiry prior to the expiration of the grace period disclosing a clear intent to continue insurance protection, such as a request for information concerning premium rates or conversion privileges, etc., an additional reasonable period not exceeding sixty days may be granted for payment of premiums due without the requirement of a comparative health statement; but the premiums in any such case must be paid during the lifetime of the insured: *Provided further*, That reinstatement under this paragraph shall be restricted to applications submitted not more than six months after the termination of the present war.

(b) After expiration of the period mentioned in paragraph (a) hereof provided applicant is in good health on the date of application and tender of premiums, and furnishes evidence thereof satisfactory to the Administrator of Veterans Affairs. (August 23, 1943)

(54 Stat. 1012; 38 U.S.C. 808)

[SEAL] FRANK T. HINES,
Administrator.

[F. R. Doc. 43-14192; Filed, August 30, 1943;
4:10 p. m.]

PART 20—GUARDIANSHIP AND LEGAL ADMINISTRATION

BENEFITS PAYABLE TO CUSTODIANS

§ 20.5205 *Amount of benefits payable by the Veterans' Administration to legal*

custodians. When a claimant under legal disability is found entitled to any benefit payable by the Veterans' Administration, the accrued amount of which at the time of the adjudication is \$500 or less, or the monthly rate of which is \$50 or less, or if the finding is in favor of two or more claimants under legal disability and the accrued amount at the time of the adjudication is \$750 or less, or the combined monthly rates amount to \$70 or less, and no legal guardian or committee has been appointed, such awards shall be made upon proper finding to the person legally vested with the responsibility or care of such claimant or claimants: *Provided*, That the best interests of the claimant will be served thereby and the legal custodian is properly qualified.

(a) In any case wherein payments to a fiduciary have been withheld or suspended, the chief attorney will determine whether payment of all or any part of funds so withheld, is necessary for the support and welfare of the beneficiary or of his dependents. If such needs cannot be met by an institutional or/and apportioned award under governing instructions applicable thereto and the minor or incompetent beneficiary is in the actual custody of some reliable person, the chief attorney will secure the evidence of such actual custody, together with a signed agreement—and if necessary a bond—of said person to receive and use for the sole benefit of such beneficiary moneys due on his account, and will certify such custody in accordance with § 20.5206: *Provided*, That instead of the information called for by item (d) thereof the certificate will contain a statement showing why payments to the fiduciary have been withheld or suspended; and in addition will set out the period of time payments are to be made to the custodians in fact and the amount thereof.

§ 20.5217 The certificates of custody issued under currently effective procedure will be authority for payment to the person designated therein as custodian only while there is no legal guardian, curator, or conservator, and while the other requirements of custody and responsibility exist; except that in cases falling under section 21 (3), World War Veterans' Act, 1924, as amended, the certificate authorized by the provisions of § 20.5205 will be authority for payment to the custodian in fact for the period stated therein, unless it is determined that payments may be resumed to the fiduciary prior to the expiration of such period.

§ 20.5227 Costs for appointment of guardians pursuant to section 21 of the World War Veterans' Act, 1924, as amended, which applies to all benefits payable by the Veterans Administration, will be authorized only in cases wherein:

(a) Benefits payable are small and such costs would unduly deplete the estate.

In applying the above, chief attorneys may authorize costs and perform legal services incident to the appointment of a guardian in any case wherein the total amount of benefits payable at date of award on which request for appointment of guardian is based does not exceed the

amount prescribed by paragraph (f) of § 35.06 for the discontinuance of payments; in any exceptional cases not falling within this limit, but wherein the chief attorney is of the opinion costs should be paid, a full report may be made to the solicitor with a request that costs be authorized. Costs will not be authorized or paid in any case if the proposed guardian is not satisfactory.

(b) Costs must be advanced, and there is no immediate estate from which same may be paid. If case does not fall within § 20.5227, recovery of costs so advanced will be made from benefits payable.

(c) Appointment caused by Veterans Administration, and it develops that no benefits are payable and no estate from which costs may be paid. (August 17, 1943)

(Pub. Law 144, 78th Cong.)

[SEAL]

FRANK T. HINES,
Administrator.

[F. R. Doc. 43-14193; Filed, August 30, 1943;
4:10 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Order ODT 11, Amdt. 2]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

INTERCITY COMMON CARRIERS OF PASSENGERS BY BUSES

Pursuant to Executive Orders 8989 and 9156, §§ 501.48 and 501.50 of General Order ODT 11, as amended, (7 F.R. 4389, 11099) are hereby amended to read as follows:

§ 501.48 Special and general permits. The provisions of this order shall be subject to any special or general permit issued by the Office of Defense Transportation to meet specific needs or exceptional circumstances.

§ 501.50 Records and reports. Every common carrier shall prepare and maintain such records, and make such reports, as the Office of Defense Transportation may prescribe subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942. Such records shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation. Within thirty (30) days after the end of each calendar month each common carrier shall report to the Office of Defense Transportation a brief description of each schedule operated by such carrier during such month in respect of which the percentage of passenger miles to seat miles was less than 40%, and a statement that such schedule has been withdrawn or the reasons why it has not been discontinued: *Provided*, That no report or statement need be made with respect to a schedule which is a part of a single round trip schedule operated daily on a route or which is authorized to be operated irrespective of the percentage of

passenger miles to seat miles by a special permit issued by the Office of Defense Transportation.

This amendment shall become effective on August 31, 1943.

(E.O. 8989, 9156; 6 F.R. 6725, 7 F.R. 3349)
Issued at Washington, D. C., this 31st day of August 1943.

JOSEPH B. EASTMAN,
Director, Office of
Defense Transportation.

[F. R. Doc. 43-14221; Filed, August 31, 1943;
11:15 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Coal Mines Administration.

[Order T-10]

APEX COAL CO., ET AL.

ORDER TERMINATING GOVERNMENT POSSESSION AND CONTROL

AUGUST 28, 1943.

The operating managers for the United States for the coal mines of the mining companies listed in Appendix A have advised the Coal Mines Administrator that the productive efficiency of each of those mines prevailing prior to the taking of possession by the Government has been restored, and have submitted factual evidence to that effect. Based on such evidence and advice, and after consideration of all the circumstances, I find that, in accordance with the provisions of the War Labor Disputes Act of June 25, 1943 (Pub. No. 89, 78th Cong. 1st Sess.), the possession and control by the Government of such mines should be terminated.

Accordingly, I order and direct that possession and control by the Government of the mines of the mining companies listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines and the distribution and sale of their products, be, and they are hereby, terminated and that there be conspicuously displayed at the mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Provided, however, That nothing contained herein shall be deemed to preclude the Administrator from requiring the submission of information relating to operations during the period of Government possession and control as provided in § 801.40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712), for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the pro-

visions of Executive Order No. 9340 (8 F.R. 5695) may be concluded in an orderly manner: *And provided further*, That except as otherwise ordered, the appointments of the operating managers for the mines of the companies listed in Appendix A shall continue in effect.

HAROLD L. ICKES,
Secretary of the Interior.

APPENDIX A

Name of Mining Company and Address

Apex Coal Company, 303 National Bank Building, Pittsburg, Kansas.

Babcock Coal and Coke Company, Pittsburgh 19, Pennsylvania.

Birmingham Water Works Company, Birmingham, Alabama.

Caudill-Ward Coal Company, Praise, Kentucky.

Chilton Block Coal Company, P. O. Box 2107, Charleston 28, W. Va.

Emperor Coal Company, Inc., Wheeling, West Virginia.

Ethel Chilton Mines, Inc., P. O. Box 405, Charleston, West Virginia.

Farmers Coal Mining Company, Higginsville, Missouri.

Gallup American Coal Company, Gallup, New Mexico.

Hotcoal Coal Company, Hotcoal, West Virginia.

Keystone Coal and Coke Company, Greensburg, Pa.

Marion County Coal Mining Corporation, Inc., Centralia, Illinois.

D. H. Pritchard, Contractor, Inc., P. O. Box 2107, Charleston, West Virginia.

Railway Fuel Company, 909 Transportation Building, Birmingham, Alabama.

Sherrick Bros. Coal Company, New Concord, Ohio.

Steubenville Coal & Mining Company, Steubenville, Ohio.

Universal Sewer Pipe Corporation, 1500 Union Commerce Building, Cleveland, Ohio.

Western Coal and Mining Company, 914 Missouri Pacific Bldg. Annex, St. Louis, Missouri.

Bair-Collins Company, Roundup, Montana.

[F. R. Doc. 43-14206; Filed, August 31, 1943;
9:47 a. m.]

[Order T-11]

HAWKEYE COAL CO., ET AL.

ORDER TERMINATING GOVERNMENT POSSESSION AND CONTROL

AUGUST 28, 1943.

The operating managers for the United States for the coal mines of the mining companies listed in Appendix A have advised the Coal Mines Administrator that there has been no interruption in the operation of such mines since April 30, 1943, as a result of a strike or other labor disturbance, and have submitted factual evidence to that effect. Based on such evidence and advice, and after consideration of all the circumstances, I find that the possession and control by the Government of such mines are not necessary to insure the operation of such mines in the interest of the war effort, and that it is practicable to terminate the possession and control of such mines.

Accordingly, I order and direct that possession and control by the Government of the mines of the mining companies listed in Appendix A, attached hereto and made a part hereof, including

any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines and the distribution and sale of their products, be, and they are hereby, terminated and that there be conspicuously displayed at the mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Provided, however, That nothing contained herein shall be deemed to preclude the Administrator from requiring the submission of information relating to operations during the period of Government possession and control as provided in § 801.40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712), for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9340 (8 F.R. 5695) may be concluded in an orderly manner; And provided further, That except as otherwise ordered, the appointments of the operating managers for the mines of the companies listed in Appendix A shall continue in effect.

HAROLD L. ICKES,
Secretary of the Interior.

APPENDIX A

Name of Mining Company and Address

Hawkeye Coal Company, 1219 Southern Surety Bldg., Des Moines, Iowa.
Leavell Coal Company, Beacon Building, Tulsa, Oklahoma.
Low Ash Mines, Pikeville, Kentucky.

[F. R. Doc. 43-14207; Filed, August 31, 1943;
9:47 a. m.]

[Order T-12]

HAWKEYE COAL CO., ET AL

ORDER TERMINATING APPOINTMENT OF
OPERATING MANAGERS

AUGUST 28, 1943.

Orders have been issued terminating Government possession and control of the coal mines for which the persons listed in Appendix A have served as operating managers for the United States, and the mining companies have duly executed and delivered to the Administrator, Instrument No. 1, as provided in § 801.40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712).

Accordingly, I hereby order and direct that the appointments of the operating managers for the United States listed in Appendix A, attached hereto and made a part hereof, be, and they are hereby, terminated.

HAROLD L. ICKES,
Secretary of the Interior.

APPENDIX A

Name of Operating Manager and Name of
Mining Company

A. E. Hollingsworth, Hawkeye Coal Company, 1219 Southern Surety Building, Des Moines, Iowa.

A. J. Dalton, Low Ash Mines, Pikeville, Kentucky.

[F. R. Doc. 43-14208; Filed, August 31, 1943;
9:47 a. m.]

DEPARTMENT OF LABOR.

Children's Bureau.

PICKING OR HEADING OF SHRIMP

HEARING ON EMPLOYMENT OF MINORS

Whereas the employment of minors under the age of 16 years in any occupation constitutes oppressive child labor within the meaning of section 3 (1) of the Fair Labor Standards Act of 1938, excepting that the Chief of the Children's Bureau may provide by regulation or order that the employment of minors between the ages of 14 and 16 years in occupations other than manufacturing and mining shall not be deemed to constitute oppressive child labor, if and to the extent that he has determined that such employment is confined to periods which will not interfere with their schooling or with their health or well-being, and

Whereas the Chief of the Children's Bureau, pursuant to section 3 (1) of the Act, issued Child Labor Regulation No. 3 (4 F.R. 1983, Code of Federal Regulations 1939 Supp., Tl. 29, Ch. IV, Part 441), effective May 24, 1939, providing that the employment of minors between the ages of 14 and 16 years in certain occupations under specified conditions shall not be deemed to constitute oppressive child labor but excluding from such occupations manufacturing, mining, or processing occupations, including occupations requiring the performance of any duties in workrooms or work places where goods are manufactured, mined, or otherwise processed, and

Whereas a petition has been received from operators of raw shrimp houses located in Southport, North Carolina, requesting authority to employ minors under 16 years of age in the picking or heading of shrimp, a processing occupation outside the scope of Child Labor Regulation No. 3, and

Whereas the question raised by the said petition appears to be a question of general interest to operators of raw shrimp houses in other localities, and

Whereas the Chief of the Children's Bureau is of the opinion that it is desirable to hold a public hearing on the question whether Child Labor Regulation No. 3 should be amended to provide that the employment of minors between the ages of 14 and 16 years in the picking or heading of shrimp in raw shrimp houses shall not be deemed to constitute oppressive child labor,

Now, therefore, notice is hereby given that:

I. A public hearing will be held at 10 a. m. Friday, September 17, 1943, in

Room 7129, Department of Labor Building, Fourteenth Street and Constitution Avenue, Washington, D. C., before Julius Schlezinger or any other presiding officer designated by me for the purpose of taking testimony on the following questions:

1. In what occupations, if any, is the employment in raw shrimp houses of minors between the ages of 14 and 16 years in the preparation of shrimp for shipment in its raw state necessary for the war effort, and

2. If such employment of minors between the ages of 14 and 16 years is found to be necessary for the war effort, what safeguard should be established to protect their schooling and their health and well-being?

II. Any interested person may appear at the hearing to offer evidence either on his own behalf or on behalf of any other person if, not later than September 15, 1943, he files with the Chief of the Children's Bureau, by mail or otherwise, at the office of the Chief of the Children's Bureau, United States Department of Labor, Washington, D. C., a notice of his intent to appear, which shall contain the following information:

1. The name and address of the person appearing;

2. If such person is appearing in a representative capacity, the name and address of the person or persons he is representing.

III. Any interested person may secure further information concerning the aforesaid hearing by inquiry directed to the Chief of the Children's Bureau, United States Department of Labor, Washington, D. C.

IV. The hearing will be conducted in accordance with the following rules of procedure subject to such subsequent modification by the Chief of the Children's Bureau or the presiding officer as may be deemed appropriate:

1. The hearing shall be stenographically reported and a transcript made which shall be available at prescribed rates to any person upon request made to the official reporter of the Children's Bureau, United States Department of Labor, Washington, D. C.

2. At the discretion of the presiding officer, the hearing will be continued from day to day or adjourned to a later day or to a different place by announcement thereof at the hearing by the presiding officer or by other appropriate notice.

3. At any stage of the hearing, the presiding officer may call for further evidence upon any matter. After the presiding officer has closed the hearing before him, no further evidence shall be taken except at the request of the Chief of the Children's Bureau unless provision has been made at the hearing for the later receipt of such evidence.

V. On the close of the hearing, the presiding officer shall forthwith file a complete record of the proceedings with the Chief of the Children's Bureau.

VI. No amendment to Child Labor Regulation No. 3 issued as a result of the hearing will take effect until after due notice is given of the issuance thereof by publication in the FEDERAL REGISTER.

Signed at Washington, D. C., this 31st day of August 1943.

KATHARINE F. LENROOT,
Chief.

[F. R. Doc. 43-14227; Filed, August 31, 1943;
11:40 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5001]

MILLER MFG. CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 28th day of August, A. D. 1943.

In the matter of William I. Miller, an individual, trading as Miller Manufacturing Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered. That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered. That the taking of testimony in this proceeding begin on Monday, September 13, 1943, at ten o'clock in the forenoon of that day (Eastern Standard Time), in Room 212, Post Office Building, Camden, New Jersey.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-14210; Filed, August 31, 1943;
11:01 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT B-45]

WEST RIDGE TRANSPORTATION CO. AND
PENN-OHIO COACH LINES CO.COORDINATED OPERATION BETWEEN GREEN-
VILLE, PA., AND YOUNGSTOWN, OHIO

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers filed with the Office of Defense Transportation by West Ridge Transportation Company, Girard, Pennsylvania, and Penn-OHIO Coach Lines Company, Youngstown, Ohio, pursuant to § 501.49 of General Order ODT 11, as amended (7 F.R. 4389, 11099), and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material and supplies, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. West Ridge Transportation Company and Penn-OHIO Coach Lines Company (hereinafter called "carriers"), re-

spectively, in the transportation of passengers on the routes served by them between Greenville, Pennsylvania (Shehango Personnel Replacement Depot), and Youngstown, Ohio, as common carriers by motor vehicle shall:

(a) Honor each other's interstate tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers;

(d) Establish and provide a joint through service for interstate traffic moving between such points.

2. The provisions of this order shall not be so construed or applied as to require either carrier to perform any service beyond its transportation capacity, or to permit either carrier to alter its legal liability to any passenger. In the event compliance with any term of this order would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of either carrier, such carrier shall apply forthwith to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

3. Each of the carriers shall file a copy of this order forthwith with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and shall likewise file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

4. Communications concerning this order should be addressed to the Division of Local Transport, Office of Defense Transportation, Washington, D. C., and should refer to "Special Order ODT B-45".

This order shall become effective September 7, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of August 1943.

JOSEPH B. EASTMAN,
Director, Office of
Defense Transportation.

[F. R. Doc. 43-14218; Filed, August 31, 1943;
11:15 a. m.]

[Special Order ODT B-46]

BLUE RIDGE TRANSPORTATION CO. AND JACK
A. BOWERSCOORDINATED OPERATION BETWEEN HAGERS-
TOWN, MD., AND GREENCASTLE, PA.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers filed with the Office of Defense Transportation by The Blue Ridge Transportation Company, Hagerstown, Maryland, and Jack A. Bowers, Mercersburg, Pennsylvania, pursuant to § 501.49 of General Order ODT 11, as amended, (7 F.R. 4389, 11099) and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material and supplies, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The Blue Ridge Transportation Company and Jack A. Bowers (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between Hagerstown, Maryland, and Greencastle, Pennsylvania, as common carriers by motor vehicle shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service, travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers.

2. The provisions of this order shall not be so construed or applied as to require either carrier to perform any

service beyond its transportation capacity, or to permit either carrier to alter its legal liability to any passenger. In the event compliance with any term of this order would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of either carrier, such carrier shall apply forthwith to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

3. Each of the carriers shall file a copy of this order forthwith with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and shall likewise file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

4. Communications concerning this order should be addressed to the Division of Local Transport, Office of Defense Transportation, Washington, D. C., and should refer to "Special Order ODT B-46".

This order shall become effective September 7, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of August, 1943.

JOSEPH B. EASTMAN,
Director, Office of
Defense Transportation.

[F. R. Doc. 43-14219; Filed, August 31, 1943;
11:15 a. m.]

[Special Order ODT B-47]

SANTA FE TRAIL TRANSPORTATION CO. AND
ROCK ISLAND MOTOR TRANSIT CO.

COORDINATED OPERATION BETWEEN BUREAU
AND SPARLAND, ILL.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers filed with the Office of Defense Transportation by The Santa Fe Trail Transportation Co., Wichita, Kansas, and The Rock Island Motor Transit Co., Chicago, Illinois, pursuant to § 501.49 of General Order ODT 11, as amended (7 F.R. 4389, 11099), and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies,

the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The Santa Fe Trail Transportation Co. shall suspend service over its route between Bureau, Illinois, and Sparland, Illinois.

2. The Rock Island Motor Transit Co. shall operate a through service of not to exceed two (2) round trip schedules daily between Bureau, Illinois, and Sparland, Illinois.

3. The provisions of this order shall not be so construed or applied as to require either carrier to perform any service beyond its transportation capacity, or to permit either carrier to alter its legal liability to any passenger. In the event compliance with any term of this order would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of either carrier, such carrier shall apply forthwith to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

4. Each of the carriers shall file a copy of this order forthwith with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and shall likewise file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

5. Communications concerning this order should be addressed to the Division of Local Transport, Office of Defense Transportation, Washington, D. C., and should refer to "Special Order ODT B-47".

This order shall become effective September 7, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 31st day of August, 1943.

JOSEPH B. EASTMAN,
Director, Office
of Defense Transportation.

[F. R. Doc. 43-14220; Filed, August 31, 1943;
11:15 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 19 Under RPS 41, Amdt. 1]

RAILROAD LOCOMOTIVE, ETC., CASTINGS

An opinion accompanying this amendment, issued simultaneously herewith,

has been filed with the Division of the Federal Register.

The caption and paragraphs (a), (b), (c) and (d) of Order No. 19 are amended to read as follows:

Adjustable pricing on railroad locomotive and tender steel castings, miscellaneous freight car castings, and railroad specialties. (a) Notwithstanding anything to the contrary contained in Revised Price Schedule No. 41, producers of railroad locomotive and tender steel castings may, on and after June 10, 1943, deliver, agree to deliver and charge for railroad locomotive and tender steel castings at prices to be adjusted in accordance with action, if any, which is taken by the Office of Price Administration after delivery and effective prior to October 1, 1943.

(b) Notwithstanding anything to the contrary contained in Revised Price Schedule No. 41, producers of miscellaneous freight car castings and railroad specialties may, on and after July 31, 1943, deliver, agree to deliver, and charge for miscellaneous freight car castings and railroad specialties at prices to be adjusted in accordance with action, if any, which is taken by the Office of Price Administration after delivery and effective prior to October 15, 1943.

(c) Persons may buy, receive and pay for locomotive and tender steel castings as set forth in paragraph (a) above and persons may buy, receive and pay for miscellaneous freight car castings and railroad specialties as set forth in paragraph (b) above.

(d) The excess amount collected over and above whatever maximum prices are in effect for railroad locomotive and tender steel castings on October 1, 1943 and for miscellaneous freight car castings and railroad specialties on October 15, 1943, shall be refunded to the purchaser before October 31, 1943.

This Amendment No. 1 becomes effective August 31, 1943.

(Pub. Laws 1421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of August, 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14200; Filed, August 30, 1943;
5:02 p. m.]

[Amdt. 2 to Order A-2 Under MPR 188]

BURIAL CASKETS

Amendment No. 2 to Order No. A-2—Adjustment provisions for particular commodities—under Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

An opinion accompanying this amendment to Order No. A-2 under Section 1499.159b of Maximum Price Regulation No. 188 has been issued simultaneously

herewith and filed with the Division of the Federal Register.*

Order No. A-2 under Maximum Price Regulation No. 188 is amended in the following respect:

1. A new paragraph (a) (3) is added to read as follows:

(3) *Burial caskets.* (i) This adjustment provision permits the granting of relief to certain manufacturers of completed caskets who are unable to continue production under their existing maximum prices whenever the loss of the manufacturer's production would result in higher prices to funeral directors. An adjustment may be granted if it appears:

(a) that the manufacturer's entire operation is currently being conducted at a loss and

(b) that some or all of the manufacturer's production consists of a line of low-priced caskets which he stocks and sells on a completed basis only (on which he does not permit the interchange of component parts), and

(c) that the loss of the manufacturer's output of such caskets would force funeral directors to pay higher prices for other caskets for low-priced funerals.

(ii) Application for adjustment under this provision must be made in accordance with the provisions of Revised Procedural Regulation No. 1.¹

(iii) Any adjustment granted will be limited to items sold on a completed basis only, and will enable the manufacturer to sell them without loss; but in no instance will maximum prices be increased to a level in excess of the general level of prices prevailing for other caskets for low-priced funerals.

This amendment shall become effective August 30, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of August 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14185; Filed, August 30, 1943;
3:11 p. m.]

Regional, State and District Office Orders.

[Region I Order G-1 Under MPR 154]

ICE IN NEW ENGLAND

Order No. G-1 under Maximum Price Regulation No. 154 as amended. Ice in New England.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1393.8 (e) of Maximum Price Regulation No. 154, *It is hereby ordered:*

(a) The maximum prices established by §§ 1393.1 and 1393.12 of Maximum Price Regulation No. 154, as amended,

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 8961; 8 F.R. 3813, 3533, 6173.

for ice sold or delivered in the states of Massachusetts, Connecticut, Rhode Island, Vermont, New Hampshire and Maine shall be the maximum prices established by §§ 1393.1 and 1393.12 of Maximum Price Regulation No. 154, as amended, or the prices specified in the following schedule, whichever are higher: *Provided, however,* That in the case of a quantity platform sale or a quantity delivered sale the seller's maximum price shall not exceed his maximum price to the purchaser established by §§ 1393.1 and 1393.12 (exclusive of § 1393.12 (f) of Maximum Price Regulation No. 154, by more than 10 cents per 300 pounds (66 2/3 cents per ton) in the case of a quantity platform sale, or by more than 5 cents per 100 pounds (\$1.00 per ton) in the case of a quantity delivered sale.

Type of sale	Dollars per cwt.	Dollars per ton
Retail delivered sale.....	\$0.60	\$12.00
Retail platform sale.....	.40	8.00
Quantity delivered sale.....	.40	8.00
Quantity platform sale.....	.20	4.00

(b) The maximum prices for sales and deliveries of ice other than those specified in the above schedule in paragraph (a) of this order shall be those established under Maximum Price Regulation No. 154, as amended.

(c) As used in this order, the term:

(1) "Retail delivered sale" means any sale of ice delivered to a purchaser at the purchaser's receiving point (other than the seller's place of business) except that the term does not include a "quantity delivered sale".

(2) "Retail platform sale" means a sale of less than 300 pounds of ice delivered to a purchaser at the seller's place of business.

(3) "Quantity delivered sale" means a sale of at least 100 pounds of ice to a purchaser who customarily purchases from such seller at least 300 pounds per week, delivered to the purchaser's receiving point (other than the seller's place of business).

(4) "Quantity platform sale" means a sale of not less than 300 pounds of ice delivered to a purchaser at the seller's place of business.

(d) Prices lower than those established by this order may be charged, offered, demanded or paid.

(e) On or before August 26, 1943, each seller one or more of whose maximum prices have been increased by this order shall post his increased maximum prices in the following manner: In the case of a "retail delivered sale" or "quantity delivered sale", by posting the maximum price on the side of his delivery vehicle in such a manner as to be clearly visible to the purchaser; in the case of a "retail platform sale" or "quantity platform sale", by posting in his place of business, in a place and manner plainly visible to the purchaser, a placard or card setting forth such maximum price.

(f) This order may be revoked, amended or corrected at any time.

(g) This order shall become effective July 26, 1943, at 12:01 a. m.

Issued this 24th day of July 1943.

EDGAR J. DRISCOLL,
Acting Regional Administrator.

[F. R. Doc. 43-14164; Filed, August 30, 1943;
11:48 a. m.]

[Region III Order G-4 Under MPR 122.
Amdt. 2]

SOLID FUELS IN MARION COUNTY, IND.

Amendment No. 2 to order No. G-4 under Maximum Price Regulation No. 122. Adjustment of maximum prices of solid fuels sold and delivered in Marion County, Indiana.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That paragraph (c) of said order No. G-4 under Maximum Price Regulation No. 122 be amended to read as set forth below:

(c) This order shall become effective June 2, 1943, and shall expire at 12:01 A. M. September 2, 1943, unless previously revoked, modified or extended by the Office of Price Administration.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

This amendment shall become effective July 31, 1943.

Issued July 31, 1943.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 43-14167; Filed, August 30, 1943;
11:49 a. m.]

[Region III Order G-31 Under 18 (c) 1]

RYE AND CRACKED WHEAT BREAD IN ST. JOSEPH COUNTY, IND.

Order No. G-31 under § 1499.18 (c) of the General Maximum Price Regulation. Adjustment of wholesale prices of rye and cracked wheat bread in St. Joseph County, Indiana; (3-18(c)-31-4).

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by virtue of § 1499.18 (c) of the General Maximum Price Regulation, *It is hereby ordered*:

(a) Any seller at wholesale may charge and receive not to exceed 9¢ per 16 ounce loaf for rye or cracked wheat bread when such sale and delivery pursuant thereto occurs within the limits of St. Joseph County, Indiana.

(b) Notwithstanding the provisions of section (a) above, any seller at wholesale of rye or cracked wheat bread within St. Joseph County, Indiana, whose present legally established maximum price per 16 ounce loaf is in excess of 9¢, may continue to charge and receive such higher legally established maximum price.

(c) This order may be amended, modified or revoked at any time by the Office of Price Administration.

This order shall become effective August 2, 1943.

(Pub Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued August 2, 1943.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 43-14166; Filed, August 30, 1943;
11:49 a. m.]

[Region V Order G-3 Under MPR 165]

LAUNDRY SERVICE IN ST. LOUIS AND
ST. LOUIS COUNTY, MO.

Order No. G-3 under Maximum Price Regulation No. 165, as amended; services.

For the reasons set forth in the opinion issued simultaneously herewith and under authority vested in the Regional Administrator, Region V, Office of Price Administration, by § 1499.114 Paragraph (d) of Maximum Price Regulation No. 165, as amended, *It is hereby ordered:*

(a) That the laundries operating in and supplying services to St. Louis and St. Louis County, Missouri, may reduce the number of laundry services offered and supplied to the seven services as listed herein, and may put into effect the following economies in regard the laundry services supplied by them, without a reduction in prices. The minimum weight of each bundle as herein set out for each of the first six services, or the individual laundry's present minimum bundle weight, whichever is higher, may be used. In regard the list price or bachelor bundle service a minimum bundle of 50¢ may be put into effect.

(1) The number of services offered to the general public may be reduced to the following seven services. If an individual laundry elects to adopt the minimum bundle weights as herein provided the price on such minimum bundle shall be computed on the basis of the original minimum bundle price plus the excess poundage computed on the basis of the charge of the individual laundry for overage poundage, in March 1942, rather than at the rate for the original minimum bundle. For example, if a laundry had a minimum bundle weight and price of ten pounds for 90¢ or 9¢ a pound and all additional poundage at 5¢ a pound, the laundry would now compute its price for the minimum bundle of fifteen pounds on the basis of ten pounds at 90¢ plus five pounds at 5¢ or a minimum bundle of fifteen pounds for \$1.15.

1. Wet wash.—Washed only—returned damp to patron. Minimum bundle 20 pounds or the individual laundry's present minimum bundle weight whichever is higher.

2. Wet wash flat ironed.—Washed, flat work ironed. Wearing apparel returned damp, all flat work ironed. Minimum bundle 18 pounds or the individual laundry's present minimum bundle weight whichever is higher.

3. Soft finish.—All washed, flat work ironed, wearing apparel returned dried. Minimum bundle 18 pounds or the individual laundry's present minimum bundle weight whichever is higher.

4. Rough dry.—All washed, flat work ironed, wearing apparel returned dried. Minimum bundle 18 pounds or the individual laundry's present minimum bundle weight whichever is higher.

5. Budget or economy bundle.—All washed, flat work ironed, wearing apparel press finished only, and starching where necessary. Minimum bundle 15 pounds or the individual laundry's present minimum bundle weight whichever is higher.

6. Deluxe bundle.—All washed, flat work ironed, wearing apparel ironed and hand retouched. Starching where necessary. Minimum bundle of 15 pounds or the individual laundry's present minimum bundle weight whichever is higher.

7. List price or bachelor bundle.—Everything washed and finished ready for use. Minimum bundle 50¢ or the individual laundry's present minimum price whichever is higher.

(2) The following economies may be put into effect as they apply to the above described services without a reduction in price:

1. Starching may be eliminated or only one type of starch offered.

2. Folding of wet wash bundles may be eliminated.

3. Folding of wearing apparel in rough dry bundles may be eliminated.

4. Finishing of handkerchiefs may be eliminated in all bundle services except the Deluxe Bundle.

5. Touching up, and hand finishing of undergarments may be eliminated.

6. You may eliminate the folding more than once of pillow cases, towels (hand, face, bath, dish, and kitchen) napkins and handkerchiefs, after these items have passed through the flat work iron.

7. Bath towels and wash cloths may be either fluff dried or ironed according to the individual laundry equipment.

8. Curtains and furniture covers may be eliminated from family bundles if also eliminated from list.

9. Furnishing of shirt boards, tie-ups, tissue paper, cellophane shirt wrappers, or any individual wrappers now used may be discontinued.

(3) The finishing of socks on sock forms may be discontinued and socks may be tumble dried, provided a reduction of at least 1¢ per pair is made by each individual laundry adopting this economy, on its list price for finishing socks.

(b) This order is subject to revocation or amendment by the Price Administrator at any time hereafter, either by special order or by any price regulation issued hereafter, or by any amendment or supplement hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

(c) Except as specifically provided in this order and for the types of laundry services for which specific provision is made, the provisions of Maximum Price Regulation No. 165, as amended, are in no way affected and shall continue in full force and effect.

This order shall become effective on the 9th day of August, 1943.

(Pub. laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 5th day of August 1943.

MAX McCULLOUGH,
Regional Administrator.

[F. R. Doc. 43-14165; Filed, August 30, 1943;
11:48 a. m.]

[Region VIII Order G-1 Under GMPR]

FRUIT IN WASHINGTON AND OREGON

Order No. G-1 under § 1499.19a of the General Maximum Price Regulation. Adjustable pricing for the cold storage of fruit in Washington and Oregon.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1499.18 (c) as amended and 1499.19a of the General Maximum Price Regulation, *It is hereby ordered:*

(a) Pending final action by the Price Administrator or the Regional Administrator upon applications now on file looking to the establishment, by means of an appropriate adjustment order or an appropriate amendment of the General Maximum Price Regulation or Supplementary Regulations thereunder, of increased maximum prices for the service of cold storage of fruits in the States of Washington and Oregon, any person supplying or offering to supply such service is hereby authorized to agree in any contract for such service that the contract price may be adjusted to a price not exceeding the increased maximum price which may be fixed for such service by such adjustment order or amendment hereafter issued.

(b) This order shall apply to the cold storage of fruit maturing during 1943.

(c) This order may be revoked, amended or corrected at any time.

(d) This order shall become effective upon its issuance.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7671)

Issued this 4th day of August 1943.

L. F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 43-14159; Filed, August 30, 1943;
11:45 a. m.]

[Region VIII Order G-1 Under MPR 269]

TURKEYS AND FOWL IN SPOKANE,
WASHINGTON

Order No. G-1 under Revised Maximum Price Regulation No. 269, as amended—Poultry.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of

Price Administration by § 1429.14 of the Revised Maximum Price Regulation No. 269; *It is hereby ordered:*

(a) The maximum prices as established by § 1429.19 of Revised Maximum Price Regulation No. 269 for sales and deliveries of young turkeys and old turkeys in the City of Spokane, in the State of Washington, are hereby adjusted so that the maximum prices therefor shall be the maximum prices for young turkeys and old turkeys as specified in § 1429.19 of Revised Maximum Price Regulation No. 269 for the City of Seattle, in the State of Washington.

(b) The maximum prices as established by § 1429.19 of Revised Maximum Price Regulation No. 269 for sales and deliveries of fowl in the City of Spokane, in the State of Washington, are hereby adjusted so that the maximum prices therefor shall be the maximum prices for fowl as specified in § 1429.19 of Revised Maximum Price Regulation No. 269 for the City of Seattle, in the State of Washington.

(c) The City of Spokane shall be termed "a basing point City" within the meaning of that term as used in § 1429.19 of Revised Maximum Price Regulation No. 269 specifically and exclusively for the purpose of determining the maximum price chargeable for the poultry items of young turkeys, old turkeys and fowl.

(d) The term "City of Spokane" as herein used means the area within the corporate limits of that city.

(e) This order may be revoked, corrected or amended at any time.

This order shall become effective August 3d, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 3d day of August 1943.

L. F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 43-14161; Filed, August 30, 1943; 11:46 a. m.]

[Region VIII Order G-3 Under 18 (c),
Amdt. 26]

MILK IN THE STATE OF WASHINGTON

Amendment No. 26 to Order No. G-3 under § 1499.18 (c) as amended of the General Maximum Price Regulation (formerly Order No. 4 under section 18 (c) of the General Maximum Price Regulation as amended). Fluid Milk Prices at Wholesale and Retail in the State of Washington.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the Gen-

eral Maximum Price Regulation, it is hereby ordered that Order No. G-3 under § 1499.18 (c) as amended of the General Maximum Price Regulation (formerly Order No. 4 under section 18 (c) of the General Maximum Price Regulation as amended) be amended as set forth below: (a) Paragraph (1) as amended is hereby further amended by adding at the end thereof the following:

HANFORD		
[Not less than 3.6% milk fat]		
Quantity	Wholesale price	Retail price
Quart container.....	\$0.1175	\$0.13
Half-pint container.....	.0425	.05

RICHLAND		
[Not less than 3.6% milk fat]		
Quantity	Wholesale price	Retail price
Quart container.....	\$0.11	\$0.13

BREWSTER		
[Not less than 4% milk fat]		
Quantity	Wholesale price	Retail price
Quart container.....		\$0.13

ODESSA		
[Not less than 3.8% milk fat]		
Quantity	Wholesale price	Retail price
Gallon container, glass.....	\$0.40	\$0.45
Quart container.....	.11	.13
Half-pint.....	.035	

This amendment shall become effective upon issuance.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of August 1943.

L. F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 43-14163; Filed, August 30, 1943; 11:47 a. m.]

[Region VIII Order G-36 Under 18 (c)]

FIREWOOD IN TIGARD-SHERWOOD AREA, OREGON

Order No. G-36 under § 1499.18 (c) as amended, of the General Maximum Price Regulation. Adjusted maximum prices for firewood in the Tigard-Sherwood area in the State of Oregon.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended, of the General Maximum Price Regulation. *It is hereby ordered:*

(a) The maximum prices as established by section 2 and 3 of the General

Maximum Price Regulation or by any previous order issued pursuant to such regulation, or to any Supplementary Regulation thereto, for the sale and delivery of the types of firewood specified below in the areas specified below, are hereby adjusted so that the maximum prices therefor shall be:

Area	Type of firewood	Maximum price per cord delivered to premises of buyer
Tigard.....	No. 1 old growth fir in 12" or 16" lengths.	\$12.50
	No. 1 old growth fir in 4' lengths.	11.25
	No. 2 old growth fir or second growth fir in 12" or 16" lengths.	11.50
	No. 2 old growth fir or second growth fir in 4' lengths.	10.25
Sherwood.....	No. 1 old growth fir in 12" or 16" lengths.	11.50
	No. 1 old growth fir in 4' lengths.	10.25
	No. 2 old growth fir or second growth fir in 12" or 16" lengths.	10.50
	No. 2 old growth fir or second growth fir in 4' lengths.	9.25

(b) *Definitions.* (1) "Tigard area" as herein used means that portion of Washington County in the State of Oregon that lies within the boundaries established by the State Highway No. 210, the Tualatin River, the East bounds of Washington County and the South bounds of the Portland Metropolitan Area as defined by the United States Census of 1940.

(2) "Sherwood area" as herein used means that portion of Washington County in the State of Oregon that lies within the boundaries established by the South bounds and East bounds of Washington County, the Tualatin River, and a line running one mile west of and parallel to U. S. Highway No. 99W.

(c) No seller shall evade any of the provisions of this Order No. G-36 by changing the customary allowances, discounts or other price differentials unless such change results in a lower price.

(d) This order may be revoked, amended or corrected at any time. This order shall become effective August 2, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 2d day of August 1943.

L. F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 43-14162; Filed, August 30, 1942; 11:46 a. m.]

[Region VIII Order G-15 Under MPR 329, Corr.]

MILK IN BENTON AND FRANKLIN COUNTIES, WASH.

Correction to Order No. G-15 under Maximum Price Regulation No. 329—Purchases of Milk from Producers for Resale as Fluid Milk.

In paragraph (b) (1) the date "1942" is corrected to read "1943". This correction shall become effective upon its issuance.

Issued this 4th day of August, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

L. F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 43-14160; Filed, August 30, 1943; 11:46 a. m.]

situated north of the Colorado River, shall be the maximum price for shell eggs as specified in §§ 1429.67, 1429.68 and 1429.69 of Maximum Price Regulation No. 333, as amended, for the Cities of Phoenix and Tucson in the State of Arizona.

(b) This order may be revoked, amended or corrected at any time.

This order shall become effective August 4th, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 8250, 7 F.R. 7871)

Issued this 4th day of August 1943.

BEN C. DUNIWAY,
Acting Regional Administrator.

[F. R. Doc. 43-14158; Filed, August 30, 1943; 11:45 a. m.]

[Region VIII Order G-3 Under MPR 333]

EGG AND EGG PRODUCTS IN ARIZONA

Order No. G-3 under Maximum Price Regulation No. 333 as amended—Egg and Egg Products.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1429.63 of Maximum Price Regulation No. 333, as amended, *It is hereby ordered:*

(a) The adjusted maximum price for sales of consumer grade shell eggs in the entire state of Arizona, except those portions of Mojave and Coconino Counties

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING SPECIAL DIRECTIONS

AUGUST 27, 1943.

The War Production Board has issued certain revocation orders revoking special directions dated December 8, 1942, issued in connection with certain synthetic rubber facilities construction projects to which urgency numbers listed below were assigned. For the effect of such revocation order the builder and suppliers affected shall refer to the specific order issued to the builder:

Urgency rating No.	Builder's serial No.	Plancor No.	Name of builder and address	Location of project
2	7693	214	Monsanto Chemical Co., 1700 S. 2d St., St. Louis, Mo.	
10	3364A	229	Carbide & Carbon Chem. Co., 30 E. 42d St., New York, N. Y.	
62	16487	982	B. F. Goodrich Co., Akron, Ohio	Texas City, Tex. Institute, W. Va. Borger, Tex.

Issued this 30th day of August 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-14173; Filed, August 30, 1943; 3:03 p. m.]

[Serial No. 556-E]

LONE ROCK BRIDGE PROJECT, WISC.

AMENDMENT TO PARTIAL REVOCATION OF PREFERENCE RATING ORDER

Builder: Wisconsin State Highway Commission, Madison, Wisconsin. Project: Identified as Lone Rock Bridge, State Project No. 9103-A.

The revocation of preference rating issued on July 31, 1943 with respect to the above serially numbered project is hereby amended by striking paragraph 3 thereof and by substituting the following:

3. *Prohibition of construction.* The builder shall neither perform nor permit the performance of any further construction or installation on the part of the project hereby revoked, except that for a period extending to September 6, 1943, and thereafter as expressly permitted by the War Production Board, construction may be continued solely for purposes of safety or health or to avoid undue damage to or deterioration of materials.

Issued August 30, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-14174; Filed, August 30, 1943; 3:03 p. m.]

[Preference Rating Order P-19-e
Serial No. 7170-E]

F. A. PROJECT, ILL.

CANCELLATION OF REVOCATION ORDER

Builder: Illinois Division of Highways, Springfield, Illinois. Project: F. A. Project DA-WR 1A (1).

The revocation of preference rating issued May 12, 1943, Serial No. 7170-E is hereby cancelled; the preference ratings previously assigned are hereby restored; and said preference ratings shall have full force and effect.

Issued August 30, 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-14175; Filed, August 30, 1943; 3:03 p. m.]

